JOINT EXHIBIT LIST

Document 63

Filed 09/10/24 Page 1 of 60 Page ID

TO ALL PARTIES, BY AND THROUGH THEIR ATTORNEYS OF 1 2 **RECORD:** 3 Plaintiff Edgar Solis and Defendants State of California and Michael Bell hereby submit the following objections to exhibits which they may utilize during 4 5 trial. The parties reserve the right to supplement and/or amend these objections to exhibits. 6 7 Respectfully Submitted, 8 DATED: September 10, 2024 9 LAW OFFICES OF DALE K. GALIPO LAW OFFICES OF GRECH & PACKER 10 Marcel F. Sincich 11 By: /<u>s</u>/ Dale K. Galipo Marcel F. Sincich 12 Trent C. Packer 13 Attorney for Plaintiff 14 DATED: September 10, 2024 **ROB BONTA** 15 Attorney General of California RHONDA L. MALLORY 16 Supervising Deputy Attorney General 17 18 David Klehm DAVID KLEHM 19 Deputy Attorney General Attorneys for Defendant State of California (by 20 and through the California Highway Patrol) 21 22 23 24 25 26 27 28

OBJECTIONS TO EXHIBIT RE. JOINT EXHIBIT LIST

| - Î | | ======================================= | | | • |
|-----|-------|---|--|-----------------------|------------------|
| 2 | Ex. # | Description | Objection ¹ | Response to Objection | Date Admitted |
| 3 | | | Videos | J | |
| 4 | 1. | 603 Hillmer Front | Defendants reserve | Plaintiff reserves | |
| 5 | | Yard Video | their right to object | the right to | |
| 3 | | (relevant portions | to this exhibit | respond. Plaintiff | |
| 6 | | of AGO 504) | because plaintiff has | only plans to admit | |
| 7 | | , | not provided the | relevant portions of | |
| | | | "relevant portions" | videos as necessary | |
| 8 | | | of this exhibit. | based on testimony | |
| 9 | | | | given. | |
| | 2. | Screenshots from | Defendants reserve | Plaintiff reserves | |
| 10 | | 603 Hillmer Video | their right to object | the right to | |
| 11 | | | to this exhibit | respond. Plaintiff | |
| 12 | | | because plaintiff has | only plans to admit | |
| 12 | | | not produced or | screenshots as | |
| 13 | | | identified the | necessary based on | |
| 14 | | | screenshots that | testimony given. | |
| | 3. | 614 Hillmer Front | comprise this exhibit. Defendants reserve | Plaintiff reserves | |
| 15 | 3. | Yard Video 1 | their right to object | the right to | |
| 16 | | (relevant portions | to this exhibit | respond. Plaintiff | |
| 17 | | of AGO 514) | because plaintiff has | only plans to admit | |
| 1 / | | | not provided the | relevant portions of | |
| 18 | | | "relevant portions" | videos as necessary | |
| 19 | | | of this exhibit. | based on testimony | |
| | | | | given. | |
| 20 | 4. | Screenshots from | Defendants reserve | Plaintiff reserves | |
| 21 | | 614 Hillmer Front | their right to object | the right to | |
| | | Yard Video 1 | to this exhibit | respond. Plaintiff | |
| 22 | | | because plaintiff has | only plans to admit | |
| 23 | | | not produced or | screenshots as | |
| 24 | | | identified the | necessary based on | |
| - ' | | | screenshots that | testimony given. | |

¹ Plaintiff and Defendants reserve the right to object portion of documents listed in the following joint exhibit list that are objectionable pursuant to FRE 401, 403, 404, and 801.

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| Ex. | Description | Objection ¹ | Response to Objection | Date Admitted |
|------------|--------------------|---------------------------------|------------------------------------|------------------|
| # | | comprise this exhibit. | Objection | Aumitteu |
| 5. | 614 Hillmer Back | Defendants reserve | Plaintiff reserves | |
| | Yard Video 1 | their right to object | the right to | |
| | (relevant portions | to this exhibit | respond. Plaintiff | |
| | of AGO 524) | because plaintiff has | only plans to admit | |
| | , | not provided the | relevant portions of | |
| | | "relevant portions" | videos as necessary | |
| | | of this exhibit. | based on testimony | |
| | | | given. | |
| 6. | Screenshots from | Defendants reserve | Plaintiff reserves | |
| | 614 Hillmer Back | their right to object | the right to | |
| | Yard Video 1 | to this exhibit | respond. Plaintiff | |
| | | because plaintiff has | only plans to admit | |
| | | not produced or | screenshots as | |
| | | identified the screenshots that | necessary based on | |
| | | comprise this exhibit. | testimony given. | |
| 7. | Deputy Waltermire | Defendants reserve | Plaintiff reserves | |
| <i>/</i> • | BWC Video | their right to object | the right to | |
| | (relevant portions | to this exhibit | respond. Plaintiff | |
| | of AGO 506) | because plaintiff has | only plans to admit | |
| | | not provided the | relevant portions of | |
| | | "relevant portions" | videos as necessary | |
| | | of this exhibit. | based on testimony | |
| | | | given. | |
| 8. | Screenshots from | Defendants reserve | Plaintiff reserves | |
| | Deputy Waltermire | their right to object | the right to | |
| | BWC Video | to this exhibit | respond. Plaintiff | |
| | | because plaintiff has | only plans to admit screenshots as | |
| | | not produced or identified the | necessary based on | |
| | | screenshots that | testimony given. | |
| | | comprise this exhibit. | 51,011. | |
| 9. | Sergeant Paez | Defendants reserve | Plaintiff reserves | |
| | BWC Video | their right to object | the right to | |
| | (relevant portions | to this exhibit | respond. Plaintiff | |
| | of AGO 507) | because plaintiff has | only plans to admit | |
| | | not provided the | relevant portions of | |
| | | "relevant portions" | videos as necessary | |

| 1 | ъ | | 1 | D | Data |
|----|--------------|--------------------|---------------------------------------|--|------------------|
| 1 | Ex. # | Description | Objection ¹ | Response to Objection | Date Admitted |
| 2 | | | of this exhibit. | based on testimony | |
| 3 | | | | given. | |
| 4 | 10. | Screenshots from | Defendants reserve | Plaintiff reserves | |
| 5 | | Sergeant Paez | their right to object | the right to | |
| 3 | | BWC Video | to this exhibit | respond. Plaintiff | |
| 6 | | | because plaintiff has not produced or | only plans to admit screenshots as | |
| 7 | | | identified the | necessary based on | |
| 8 | | | screenshots that | testimony given. | |
| | | | comprise this exhibit. | 3 8 | |
| 9 | 11. | 614 Hillmer Front | Defendants reserve | Plaintiff reserves | |
| 10 | | Yard Video 2 | their right to object | the right to | |
| 11 | | (relevant portions | to this exhibit | respond. Plaintiff | |
| | | of AGO 518) | because plaintiff has | only plans to admit | |
| 12 | | | not provided the "relevant portions" | relevant portions of videos as necessary | |
| 13 | | | of this exhibit. | based on testimony | |
| 14 | | | or this Camera. | given. | |
| | 12. | Screenshots from | Defendants reserve | Plaintiff reserves | |
| 15 | | 614 Hillmer Front | their right to object | the right to | |
| 16 | | Yard Video 2 | to this exhibit | respond. Plaintiff | |
| 17 | | | because plaintiff has | only plans to admit | |
| | | | not produced or identified the | screenshots as | |
| 18 | | | screenshots that | necessary based on testimony given. | |
| 19 | | | comprise this exhibit. | testimony given. | |
| 20 | 13. | 614 Hillmer Front | Defendants reserve | Plaintiff reserves | |
| 21 | | Yard Video 3 | their right to object | the right to | |
| | | (relevant portions | to this exhibit | respond. Plaintiff | |
| 22 | | of AGO 512) | because plaintiff has | only plans to admit | |
| 23 | | | not provided the "relevant portions" | relevant portions of videos as necessary | |
| 24 | | | of this exhibit. | based on testimony | |
| | | | | given. | |
| 25 | 14. | Screenshots from | Defendants reserve | Plaintiff reserves | |
| 26 | | 614 Hillmer Front | their right to object | the right to | |
| 27 | | Yard Video 3 | to this exhibit | respond. Plaintiff | |
| | | | because plaintiff has | only plans to admit | |
| 28 | | | not produced or | screenshots as | |

| Ex. | | 1 | Response to | Date |
|-----|--------------------------------|---------------------------------------|---|----------|
| # | Description | Objection ¹ | Objection | Admitted |
| | | identified the | necessary based on | |
| | | screenshots that | testimony given. | |
| | | comprise this exhibit. | | |
| 15. | 614 Hillmer Back | Defendants reserve | Plaintiff reserves | |
| | Yard Video 2 | their right to object | the right to | |
| | (relevant portions | to this exhibit | respond. Plaintiff | |
| | of AGO 519) | because plaintiff has | only plans to admit | |
| | | not provided the | relevant portions of | |
| | | "relevant portions" of this exhibit. | videos as necessary based on testimony | |
| | | of this exilioit. | given. | |
| 16. | Screenshots from | Defendants reserve | Plaintiff reserves | |
| | 614 Hillmer Back | their right to object | the right to | |
| | Yard Video 2 | to this exhibit | respond. Plaintiff | |
| | | because plaintiff has | only plans to admit | |
| | | not produced or | screenshots as | |
| | | identified the | necessary based on | |
| | | screenshots that | testimony given. | |
| 1.5 | (1 4 II'11 D 1 | comprise this exhibit. | D1 : .:00 | |
| 17. | 614 Hillmer Back | Defendants reserve | Plaintiff reserves | |
| | Yard Video 3 | their right to object to this exhibit | the right to | |
| | (relevant portions of AGO 521) | because plaintiff has | respond. Plaintiff only plans to admit | |
| | 01 AGO 321) | not provided the | relevant portions of | |
| | | "relevant portions" | videos as necessary | |
| | | of this exhibit. | based on testimony | |
| | | | given. | _ |
| 18. | Screenshots from | Defendants reserve | Plaintiff reserves | |
| | 614 Hillmer Back | their right to object | the right to | |
| | Yard Video 3 | to this exhibit | respond. Plaintiff | |
| | | because plaintiff has | only plans to admit | |
| | | not produced or | screenshots as | |
| | | identified the screenshots that | necessary based on testimony given. | |
| | | comprise this exhibit. | testimony given. | |
| | | Law Enforcement Re | cords | |
| 19. | *Evidence Report | Defendants reserve | For impeachment | |
| 1 | _ | | - | |
| | (relevant portions | their right to object | or to refresh | |

JOINT EXHIBIT LIST

| Ex. | Description | Objection ¹ | Response to Objection | Date Admitted |
|-----|------------------------------------|---------------------------------------|-------------------------------|------------------|
| | | because plaintiff has | indicated; relevant | Tammed |
| | | not provided the | portions to be used | |
| | | "relevant portions" | as necessary based | |
| | | of this exhibit. | on testimony | |
| | | | given. | |
| 20. | *Photography and | Defendants reserve | For impeachment | |
| | Video Evidence | their right to object | or to refresh | |
| | Report | to this exhibit | recollection as | |
| | (relevant portions | because plaintiff has | indicated; relevant | |
| | of AGO 368-76) | not provided the | portions to be used | |
| | | "relevant portions" | as necessary based | |
| | | of this exhibit. | on testimony | |
| | | | given. | |
| 21. | *RCSD Report by | Defendants reserve | For impeachment | |
| | Deputy Cline re | their right to object | or to refresh | |
| | 614 N. Hillmer Dr. | to this exhibit | recollection as | |
| | (relevant portions | because plaintiff has | indicated; relevant | |
| | of 039. 030222) | not provided the | portions to be used | |
| | | "relevant portions" | as necessary based | |
| | | of this exhibit. | on testimony | |
| 22 | *DCCD Domont by | Defendants reserve | given. | |
| 22. | *RCSD Report by | Defendants reserve | For impeachment or to refresh | |
| | Deputy Kroll re Forensic Report | their right to object to this exhibit | recollection as | |
| | Processing the | because plaintiff has | indicated; relevant | |
| | Suspect Mustang | not provided the | portions to be used | |
| | (relevant portions | "relevant portions" | as necessary based | |
| | of 042. 051922) | of this exhibit. | on testimony | |
| | 01 0 12: 031722) | or time eximent. | given. | |
| | | Photographs | 1 8 | |
| 23. | Photos of Bell | | | |
| | (AGO 727-729) | | | |
| 24. | Photos of Bell Gun | | | |
| | (AGO 604, 606, | | | |
| | 687) | | | |
| 25. | Photos of Paez | | | |
| | (AGO 630-642, | | | |
| | 750-53) | | | |
| 26. | Photos of Sobaszek | | | |

7 Case No.: 5:23-cv-00515-HDV-JPR
JOINT EXHIBIT LIST

| 1 | Ex. | Description | Objection ¹ | Response to | Date |
|----|-------------|-------------------------------------|---|----------------------------------|----------|
| 2 | # | - | 5 .0J • • • • • • • • • • • • • • • • • • • | Objection | Admitted |
| 3 | 27. | (AGO 643-650) Photos of | | | |
| | 27. | Waltermire | | | |
| 4 | | (AGO 693-726) | | | |
| 5 | 28. | Photos of | | | |
| 6 | | Waltermire Gun | | | |
| 7 | 29. | (AGO 679, 684) Photos of Stealth | Objection to town | "Staalth Explanar" | |
| | <i>29</i> . | Explorer | Objection to term "Stealth" | "Stealth Explorer" was termed by | |
| 8 | | (AGO 530) | FRE 401 irrelevant | Defendant Bell, | |
| 9 | | | info. unknown; FRE | highly relevant to | |
| 10 | | | 403 unduly | the type of vehicle | |
| 11 | | | prejudicial, | that approached | |
| | 30. | Photos of Green | cumulative; | Plaintiff's car. | |
| 12 |] 30. | Mustang | | | |
| 13 | | (AGO 547-552, | | | |
| 14 | | 592, 595-96, 657) | | | |
| 15 | 31. | Photos of 633 | | | |
| | | Hillmer | | | |
| 16 | | (AGO 629, 658, 660, 662, 664, 666- | | | |
| 17 | | 67) | | | |
| 18 | 32. | Photos of 614 | | | |
| 19 | | Hillmer | | | |
| | | (AGO 852-54, | | | |
| 20 | 33. | 1007-08) Photos of Bell First | Objection to the | Undisputed by | |
| 21 | | Volley | description of this | Defendant Bell's | |
| 22 | | (AGO 888-92, 895, | Exhibit as Bell First | testimony that he | |
| 23 | | 955-57, 959-61, | Volley- | fired two volleys; | |
| | | 963, 965, 967-68, | Inflammatory and | listed photos are | |
| 24 | | 971-72, 975-76, 978-81, 986-87, | Inaccurate. FRE 602 & 611 | relevant and accurate evidence | |
| 25 | | 989, 991, 993-97, | speculation, lacks | of trajectory of fire | |
| 26 | | 1000-01, 1003-04, | foundation. | for first volley of | |
| 27 | | 1028, 1032, 1034- | | shots fired. | |
| | | 36, 1038-39, 1146, | | | |
| 28 | <u> </u> | 1148) | | | |

| 1 | Ex. # | Description | Objection ¹ | Response to Objection | Date Admitted |
|----|--------------|----------------------------------|--|--------------------------------------|------------------|
| 2 | 34. | Photos of Bell | Objection to the | Undisputed by | Aumitteu |
| 3 | | Second Volley | description of this | Defendant Bell's | |
| 4 | | (AGO 896-98, 902- | Exhibit as Bell | testimony that he | |
| | | 04, 1011, 1041, | Second Volley. | fired two volleys; | |
| 5 | | 1046, 1079-80, | FRE 602 & 611 | listed photos are | |
| 6 | | 1087-91, 1100- 1101, 1104-05, | speculation, lacks foundation. | relevant and accurate evidence | |
| 7 | | 1110-11, 1114, | Touridation. | of trajectory of fire | |
| 8 | | 1116, 1121, 1130, | | for second volley | |
| | | 1133, 1137-38, | | of shots fired. | |
| 9 | | 1141, 1143-44) | | | |
| 10 | 35. | Photos of Solis in | | | |
| 11 | | Hospital (AGO 765-66, | | | |
| 12 | | 1221-33) | | | |
| | 36. | Photos of Edgar | FRE 403 unduly | Relevant to | |
| 13 | | Solis | prejudicial, | damages, not | |
| 14 | | (P 4064-4084) | cumulative; FRE 602 | outweighed by | |
| 15 | | | & 611 speculation, lacks foundation. | prejudice; foundation to be | |
| | | | lacks foundation. | given by Plaintiff. | |
| 16 | 37. | GLA Initial Scene | Objection to term | Relevant as | |
| 17 | | Assessment | Scene Assessment as | accurate | |
| 18 | | (produced in Expert | these were not taken | description of | |
| 19 | | Disclosures) | at the scene on the | scene not provided | |
| | | | date of the incident. These are | by investigators | |
| 20 | | | demonstrative | reports; relevant and not hearsay as | |
| 21 | | | exhibits not | impeachment of | |
| 22 | | | evidence. | Defendant Bell's | |
| 23 | | | EDE 001 1 | testimony; | |
| | | | FRE 801 hearsay. FRE 401 irrelevant | foundation given by Plaintiff's | |
| 24 | | | info. unknown; FRE | investigator who | |
| 25 | | | 403 unduly | conducted the | |
| 26 | | | prejudicial, | scene assessment. | |
| 27 | | | cumulative; FRE 602 | | |
| | | | & 611 speculation, | | |
| 28 | | | lacks foundation. | | |

| 1 | Ex. | | | Response to | Date |
|----|-----------------|----------------------------------|---|-------------------------------------|----------|
| | # | Description | Objection ¹ | Objection Objection | Admitted |
| 2 | 38. | GLA Second Scene | Objection to term | Relevant as | |
| 3 | | Assessment | Scene Assessment as | accurate | |
| 4 | | (produced in Expert | these were not taken | description of | |
| 5 | | Disclosures) | at the scene on the date of the incident. | scene not provided by investigators | |
| | | | These are | reports; relevant | |
| 6 | | | demonstrative | and not hearsay as | |
| 7 | | | exhibits not | impeachment of | |
| 8 | | | evidence. | Defendant Bell's | |
| 9 | | | FRE 801 hearsay. FRE 401 irrelevant | testimony; foundation given | |
| 10 | | | info. unknown; FRE | by Plaintiff's | |
| | | | 403 unduly | investigator who | |
| 11 | | | prejudicial, | conducted the | |
| 12 | | | cumulative; FRE 602 & 611 speculation, | scene assessment. | |
| 13 | | | lacks foundation. | | |
| 14 | | | | | |
| 15 | 39. | GLA Investigation | Objection to term | Relevant as | |
| | | Scene Photos (produced in Expert | Scene Assessment as these were not taken | accurate description of | |
| 16 | | Disclosures) | at the scene on the | scene not provided | |
| 17 | | , | date of the incident. | by investigators | |
| 18 | | | These are | reports; relevant | |
| 19 | | | demonstrative exhibits not | and not hearsay as impeachment of | |
| 20 | | | evidence. | Defendant Bell's | |
| | | | FRE 801 hearsay. | testimony; no | |
| 21 | | | FRE 401 irrelevant | hearsay included; | |
| 22 | | | info. unknown; FRE 403 unduly | foundation given by Plaintiff's | |
| 23 | | | prejudicial, | investigator who | |
| 24 | | | cumulative; FRE 602 | conducted the | |
| 25 | | | & 611 speculation, | scene assessment. | |
| | 40. | Maps Marked | lacks foundation. Objection. These | FRE 801(d)(2)(a), | |
| 26 | 1 0. | During Statements | markings on maps | Party opponent | |
| 27 | | (AGO 335-336) | are demonstrative | admission. | |
| 28 | | | exhibits not | Relevant to | |
| | | | | | |

| 1 | Ex. # | Description | Objection ¹ | Response to Objection | Date Admitted |
|----|--------------|---------------------------------|--|-------------------------------------|------------------|
| 2 | | | evidence. | Defendant's | |
| 3 | | | FRE 801 hearsay. | testimony and | |
| 4 | | | FRE 401 irrelevant | claimed description | |
| 5 | | | info. unknown; FRE | of the incident. | |
| | | | 403 unduly prejudicial, | | |
| 6 | | | cumulative; FRE 602 | | |
| 7 | | | & 611 speculation, | | |
| 8 | 41 | G + D D | lacks foundation. | EDE 001 N. / | |
| 9 | 41. | Sgt. Paez Depo Exhibit 2 | Objection. This is not an accurate depiction | FRE 801, Not hearsay; | |
| 10 | | Exhibit 2 | of the scene at the | impeachment of | |
| | | | time of the incident | Defendant; | |
| 11 | | | and is a | relevant to position | |
| 12 | | | demonstrative exhibit not evidence. | of parties at the time of the shots | |
| 13 | | | FRE 801 hearsay. | fired; based on | |
| 14 | | | FRE 401 irrelevant | person knowledge | |
| 15 | | | info. unknown; FRE | of deponent. | |
| | | | 403 unduly prejudicial, | | |
| 16 | | | cumulative; FRE 602 | | |
| 17 | | | & 611 speculation, | | |
| 18 | 12 | D (C 1 1 | lacks foundation. | EDE 001 N. / | |
| 19 | 42. | Det. Sobaszek Depo Exhibit 4 | Objection. This is not an accurate depiction | hearsay; relevant to | |
| 20 | | Depo Exmon 1 | of the scene at the | position of parties | |
| 21 | | | time of the incident | at the time of the | |
| | | | and is a demonstrative | shots fired; based | |
| 22 | | | exhibit not evidence. | on person knowledge of | |
| 23 | | | FRE 801 hearsay. | deponent. | |
| 24 | | | FRE 401 irrelevant | | |
| 25 | | | info. unknown; FRE 403 unduly | | |
| 26 | | | prejudicial, | | |
| | | | cumulative; FRE 602 | | |
| 27 | | | & 611 speculation, | | |
| 28 | | | lacks foundation. | | |

| 1 | Ex. | Description | Objection ¹ | Response to | Date |
|----|----------|-----------------------------|-------------------------------------|---------------------------|----------|
| 2 | # 43. | Demonstrative | | Objection Listed as | Admitted |
| 3 | 43. | Yellow Dummy | Objection This is a demonstrative | demonstrative. Not | |
| | | Gun | exhibit not evidence. | hearsay. Not | |
| 4 | | | FRE 801 hearsay. | testimonial. | |
| 5 | | | FRE 401 irrelevant | | |
| 6 | | | info. unknown; FRE | | |
| 7 | | | 403 unduly | | |
| . | | | prejudicial, cumulative; FRE 602 | | |
| 8 | | | & 611 speculation, | | |
| 9 | | | lacks foundation. | | |
| 10 | 44. | Demonstrative | Objection. This is | Listed as | |
| 11 | | Fence | inflammatory and | demonstrative. Not | |
| | | | inaccurate. Objection This is a | hearsay. Not testimonial. | |
| 12 | | | demonstrative | testimomai. | |
| 13 | | | exhibit not evidence. | | |
| 14 | | | FRE 801 hearsay. | | |
| 15 | | | FRE 401 irrelevant | | |
| | | | info. unknown; FRE | | |
| 16 | | | 403 unduly prejudicial, | | |
| 17 | | | cumulative; FRE 602 | | |
| 18 | | | & 611 speculation, | | |
| | | | lacks foundation. | | |
| 19 | 4.5 | Diffical 1' 1 | Plaintiff's Medical Re | cords | |
| 20 | 45. | RUHS Medical Records | | | |
| 21 | | (selected from P 1- | | | |
| 22 | | 2625) | | | |
| 23 | 46. | Riverside Medical | | | |
| | | Records | | | |
| 24 | | (selected from P | | | |
| 25 | | 2625-2854, 2984- 4063) | | | |
| 26 | 47. | High Desert | | | |
| 27 | | Medical Records | | | |
| 28 | | (selected from P 2855-2892) | | | |
| 20 | | <u> </u> | | | |

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|----|------------|------------------------------|------------------------------|-------------------------------------|------------------|
| 1 | Ex. # | Description | Objection ¹ | Response to Objection | Date Admitted |
| 2 | 48. | Wasco Medical | | 3 | |
| 3 | | Records | | | |
| 4 | | (selected from | | | |
| | | P2893-2983) | | | |
| 5 | 49. | CDCR Medical | | | |
| 6 | | Records | | | |
| | | (selected from | | | |
| 7 | <u></u> | 4085-8899) | | | |
| 8 | 50. | (Reserved) | | | |
| 9 | 51. | High Desert | | | |
| | | Imaging (P 4085) | | | |
| 10 | 52. | RUHS Imaging | | | |
| 11 | 32. | (P 4086) | | | |
| 12 | | | ficer Statements to De | tectives* | |
| | 53. | Officer Bell CIIT | Objection. | For impeachment | |
| 13 | | Statement | Confidential | or to refresh | |
| 14 | | (relevant portions | compelled statement | recollection as | |
| 15 | | of AGO 497) | of a Law | indicated; does not | |
| 13 | | | Enforcement Officer. | qualify for a | |
| 16 | | | | confidential | |
| 17 | 5 4 | T | 01: .: | designation. | |
| | 54. | Transcript of | Objection. | For impeachment | |
| 18 | | Officer Bell CIIT | Confidential | or to refresh | |
| 19 | | Statement (relevant portions | compelled statement of a Law | recollection as indicated; does not | |
| 20 | | AGO 68-161) | Enforcement Officer. | qualify for a | |
| | | 7100 00 101) | Emoreement officer. | confidential | |
| 21 | | | | designation. | |
| 22 | 55. | Officer Bell CHP | Objection. | For impeachment | |
| | | Statement | Confidential | or to refresh | |
| 23 | | (relevant portions | compelled statement | recollection as | |
| 24 | | of AGO 500) | of a Law | indicated; does not | |
| 25 | | | Enforcement Officer. | qualify for a | |
| | | | | confidential | |
| 26 | <i></i> | T | 01: 4: | designation. | |
| 27 | 56. | Transcript of | Objection. | For impeachment | |
| 28 | | Officer Bell CHP | Confidential | or to refresh | |
| 20 | | Statement | compelled statement | recollection as | |
| | | | 12 | C N | IIDII IDD |

13 Case No.: 5:23-cv-00515-HDV-JPR
JOINT EXHIBIT LIST

| Ex. # | Description | Objection ¹ | Response to Objection | Date Admitted |
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| - ' | (relevant portions | of a Law | indicated; does not | Tammed |
| | AGO 162-192) | Enforcement Officer. | qualify for a | |
| | , | | confidential | |
| | | | designation. | |
| 57. | Deputy Waltermire | Objection. Hearsay. | For impeachment | |
| | Statement | Plaintiff has not | or to refresh | |
| | (relevant portions | shown the witness is | recollection as | |
| | of AGO 499) | unavailable to testify. | indicated. | |
| | | FRE 801 hearsay. | | |
| 58. | Transcript of | Objection. Hearsay. | For impeachment | |
| | Deputy Waltermire | Plaintiff has not | or to refresh | |
| | Statement | shown the witness is | recollection as | |
| | (relevant portions | unavailable to testify. | indicated. | |
| 50 | of AGO 193-248) | FRE 801 hearsay. | Б . 1 | |
| 59. | Officer Sobaszek | Objection. Hearsay. | For impeachment | |
| | Statement (relevant partial) | Plaintiff has not | or to refresh recollection as | |
| | (relevant portion AGP 501) | shown the witness is | indicated. | |
| | AGF 501) | unavailable to testify. FRE 801 hearsay. | murcated. | |
| 60. | Transcript of | Objection. Hearsay. | For impeachment | |
| 00. | Officer Sobaszek | Plaintiff has not | or to refresh | |
| | Statement | shown the witness is | recollection as | |
| | (relevant portions | unavailable to testify. | indicated. | |
| | of AGO 294-300) | FRE 801 hearsay. | | |
| 61. | Sgt. Paez Statement | Objection. Hearsay. | For impeachment | |
| | (relevant portions | Plaintiff has not | or to refresh | |
| | of AGO 502) | shown the witness is | recollection as | |
| | | unavailable to testify. | indicated. | |
| | | FRE 801 hearsay. | | |
| 62. | Transcript of Sgt. | Objection. Hearsay. | For impeachment | |
| | Paez Statement | Plaintiff has not | or to refresh | |
| | (relevant portions | shown the witness is | recollection as | |
| I | of AGO 301-334) | unavailable to testify. | indicated. | |
| | | FRE 801 hearsay. | | |

| 1 | | | | | |
|-------------|------------|--|--|--|--------|
| 2 | | | endants' Additional | Exhibits | |
| | <u>No.</u> | <u>Description</u> | Objection | <u>Response</u> | Ruling |
| 3 4 5 | 101. | Composite Videos of Multiple individual homeowner videos | FRE 401, 403, 801; untimely, FRCP 26. | Aid to assist jury to view multiple separate residential | |
| 6 | | | | surveillance video exhibits from | |
| 7 | | | | different angles as | |
| 8 | | | | one single exhibit | |
| 9 | | | | with a composite contemporaneous real time view. | |
| 10 | 102. | Critical Incident | P MILs 1-4. | Official Record. | |
| 11 | | Investigation - C22- | FRE 801 hearsay. FRE 401 irrelevant | FRE 803(8)(A)(i) | |
| 12 | | 601-001 [AGO 1-7] | info. unknown; | and (iii). Business Record. | |
| 13 | | | FRE 403 unduly | FRE 803(6)(B). | |
| 14 | | | prejudicial, cumulative; FRE | Findings which dispute Plaintiff's | |
| 15 | | | 404 impermissible | expert's opinion | |
| 16 | | | character evidence; FRE 602 & 611 | that Officer Bell | |
| 17 | | | speculation, lacks | did not comply with CHP's | |
| 18 | | | foundation; FRE 701 & 702 | Policies. | |
| 19 | | | improper opinion. | Phillips v. Bratton, 2008 WL | |
| 20 | | | | 11409876, at *10 | |
| 21 | | | | (Case No. CV 07- 873 CAS (VBKX), | |
| 22 | | | | C.D. Cal. Jan. 28, | |
| | | | | 2008). Corroborates | |
| 23 | | | | defendant Officer | |
| 24 | | | | Bell's observations | |
| 25 | | | | that plaintiff was actively resisting | |
| 26 | | | | and evading arrest | |
| 27 | | | | because plaintiff | |
| 28 | | | | was aware that he would be sent back | |
| | | | | "July of Belli buck | |

15 Case No.: 5:23-cv-00515-HDV-JPR
JOINT EXHIBIT LIST

| 1 | | | | to prison due to |
|----|------|---------------------|--------------------------------------|---------------------------------------|
| 2 | | | | being a felon in |
| 3 | | | | possession of a firearm and |
| | | | | narcotics. |
| 4 | | | | nui cones. |
| 5 | 103. | Summary of Incident | P MILs 1-4. | Official Record. |
| 6 | | [AGO 10-13] | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 7 | | | FRE 401 irrelevant info. unknown; | and (iii). |
| | | | FRE 403 unduly | Business Record. FRE 803(6)(B). |
| 8 | | | prejudicial, | Findings which |
| 9 | | | cumulative; FRE | dispute Plaintiff's |
| 10 | | | 404 impermissible | expert's opinion |
| 11 | | | character evidence; FRE 602 & 611 | that Officer Bell |
| | | | speculation, lacks | did not comply with CHP's |
| 12 | | | foundation; FRE | Policies. |
| 13 | | | 701 & 702 | Phillips v. Bratton, |
| 14 | | | improper opinion. | 2008 WL |
| 15 | | | | 11409876, at *10 (Case No. CV 07- |
| | | | | 873 CAS (VBKX), |
| 16 | | | | C.D. Cal. Jan. 28, |
| 17 | | | | 2008). |
| 18 | | | | Corroborates |
| 19 | | | | defendant Officer Bell's observations |
| 20 | | | | that plaintiff was |
| | | | | actively resisting |
| 21 | | | | and evading arrest |
| 22 | | | | because plaintiff |
| 23 | | | | was aware that he would be sent back |
| 24 | | | | to prison due to |
| | | | | being a felon in |
| 25 | | | | possession of a |
| 26 | | | | firearm and narcotics. |
| 27 | | | | naicones. |
| 28 | 104. | Scene Description | P MILs 1-4. FRE 801 hearsay. | Official Record. |
| | | | 16 (| Core No. 5.22 ev. 00515 HDV/ IDD |

| 1 | | [AGO 14-18] | FRE 401 irrelevant | FRE 803(8)(A)(i) |
|----|------|---------------------|-----------------------------------|--|
| 2 | | | info. unknown; | and (iii). |
| 3 | | | FRE 403 unduly | Business Record. |
| | | | prejudicial, cumulative; FRE | FRE 803(6)(B). Findings which |
| 4 | | | 404 impermissible | dispute Plaintiff's |
| 5 | | | character evidence; | expert's opinion |
| 6 | | | FRE 602 & 611 | that Officer Bell |
| | | | speculation, lacks | did not comply |
| 7 | | | foundation; FRE 701 & 702 | with CHP's Policies. |
| 8 | | | improper opinion. | Phillips v. Bratton, |
| 9 | | | improper opinion. | 2008 WL |
| 10 | | | | 11409876, at *10 |
| | | | | (Case No. CV 07- |
| 11 | | | | 873 CAS (VBKX), |
| 12 | | | | C.D. Cal. Jan. 28, 2008). |
| 13 | | | | 2000). |
| 14 | 105. | Suspect's Profile | P MILs 1-4. FRE 801 hearsay. | Official Record. |
| 15 | | [AGO 21-41] | FRE 401 irrelevant | FRE 803(8)(A)(i) and (iii). |
| | | | info. unknown; | Business Record. |
| 16 | | | FRE 403 unduly | FRE 803(6)(B). |
| 17 | | | prejudicial, | Corroborates |
| 18 | | | cumulative; FRE 404 impermissible | defendant Officer |
| 19 | | | character evidence; | Bell's observations that plaintiff was |
| 20 | | | FRE 602 & 611 | actively resisting |
| | | | speculation, lacks | and evading arrest |
| 21 | | | foundation; FRE 701 & 702 | because plaintiff |
| 22 | | | improper opinion. | was aware that he would be sent back |
| 23 | | | | to prison due to |
| 24 | | | | being a felon in |
| 25 | | | | possession of a |
| | | | | firearm and |
| 26 | 106. | Crime Scene | P MIL 1. | narcotics. Official Record. |
| 27 | 100. | Evidence Collection | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 28 | | & Storage [AGO 43] | FRE 401 irrelevant | and (iii). |
| | | | info. unknown; | |
| | 1 | | 17 (| Tage No \cdot 5.23-cy-00515-HDV-IPR |

| 1 | | | FRE 403 unduly | Business Record. |
|----|------|------------------------------|----------------------------------|---------------------------------------|
| 2 | | | prejudicial, | FRE 803(6)(B). |
| 3 | | | cumulative; FRE | Corroborates |
| | | | 602 & 611 speculation, lacks | defendant Officer Bell's observations |
| 4 | | | foundation; FRE | that plaintiff was |
| 5 | | | 701 & 702 | actively resisting |
| 6 | | | improper opinion. | and evading arrest |
| | | | | because plaintiff |
| 7 | | | | was aware that he |
| 8 | | | | would be sent back to prison due to |
| 9 | | | | being a felon in |
| 10 | | | | possession of a |
| | | | | firearm and |
| 11 | 107 | Luinan D | D MIL 1 | narcotics. |
| 12 | 107. | Injury Descriptions [AGO 44] | P MIL 1. FRE 801 hearsay. | Official Record. FRE 803(8)(A)(i) |
| 13 | | | FRE 401 irrelevant | and (iii). |
| 14 | | | info. unknown; | Business Record. |
| | | | FRE 403 unduly | FRE 803(6)(B). |
| 15 | | | prejudicial, cumulative; FRE | |
| 16 | | | 602 & 611 | |
| 17 | | | speculation, lacks | |
| 18 | | | foundation; FRE | |
| 19 | | | 701 & 702 | |
| | 108. | Forensic Examination | improper opinion. P MIL 1. | Official Record. |
| 20 | | [AGO 45] | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 21 | | | FRE 401 irrelevant | and (iii). |
| 22 | | | info. unknown; FRE 403 unduly | Business Record. |
| 23 | | | prejudicial, | FRE 803(6)(B). Corroborates |
| | | | cumulative; FRE | defendant Officer |
| 24 | | | 602 & 611 | Bell's observations |
| 25 | | | speculation, lacks foundation. | that plaintiff was |
| 26 | | | Touridation. | actively resisting and evading arrest |
| 27 | | | | because plaintiff |
| 28 | | | | was aware that he |
| 40 | | | | would be sent back |
| | | | 18 (| Case No · 5·23-cy-00515-HDV-IPR |

| 1 | | | | to prison due to |
|----|------|----------------------------|--|--|
| 2 | | | | being a felon in |
| 3 | | | | possession of a firearm and |
| | | | | narcotics. |
| 4 | 109. | Maps [AGO 335- | FRE 801 hearsay. | Official Record. |
| 5 | | [336] | | FRE 803(8)(A)(i) |
| 6 | | _ | | and (iii). |
| 7 | | | | Business Record. |
| | | | | FRE 803(6)(B). |
| 8 | 110. | Diagrams [AGO 367] | P MIL 1. | Official Record. |
| 9 | | | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 10 | | | FRE 401 irrelevant info. unknown; | and (iii). |
| 11 | | | FRE 403 unduly | Business Record. FRE 803(6)(B). |
| 12 | | | prejudicial, | 1 KL 303(0)(B). |
| | | | cumulative; FRE | |
| 13 | | | 602 & 611 speculation, lacks | |
| 14 | | | foundation. | |
| 15 | 111. | Photography and | P MIL 1. | Official Record. |
| 16 | | Video | FRE 801 hearsay. FRE 401 irrelevant | FRE 803(8)(A)(i) |
| 17 | | CONFIDENTIAL [AGO 368-376] | info. unknown; | and (iii). Business Record. |
| | | | FRE 403 unduly | FRE 803(6)(B). |
| 18 | | | prejudicial, | Corroborates |
| 19 | | | cumulative; FRE 602 & 611 | defendant Officer |
| 20 | | | speculation, lacks | Bell's observations that plaintiff was |
| 21 | | | foundation. | actively resisting |
| 22 | | | | and evading arrest |
| 23 | | | | because plaintiff |
| | | | | was aware that he would be sent back |
| 24 | | | | to prison due to |
| 25 | | | | being a felon in |
| 26 | | | | possession of a |
| 27 | | | | firearm and narcotics. |
| 28 | 112. | Receipt for Property | P MIL 1. FRE 801 hearsay. | Official Record. |
| | | | | |

| 1 | | Booked into | FRE 401 irrelevant | FRE 803(8)(A)(i) |
|----|------|-------------------|--|--------------------------------------|
| 2 | | Evidence | info. unknown; | and (iii). |
| | | [AGO 379-391] | FRE 403 unduly | Business Record. |
| 3 | | | prejudicial, | FRE 803(6)(B). |
| 4 | | | cumulative; FRE 602 & 611 | Corroborates defendant Officer |
| 5 | | | speculation, lacks | Bell's observations |
| | | | foundation. | that plaintiff was |
| 6 | | | | actively resisting |
| 7 | | | | and evading arrest |
| 8 | | | | because plaintiff |
| | | | | was aware that he |
| 9 | | | | would be sent back |
| 10 | | | | to prison due to being a felon in |
| 11 | | | | possession of a |
| 12 | | | | firearm and |
| | | | | narcotics. |
| 13 | 113. | Blood Alcohol | P MILs 1-4. | Official Record. |
| 14 | | Toxicology Report | FRE 801 hearsay. FRE 401 irrelevant | FRE 803(8)(A)(i) |
| 15 | | [AGO 392-394] | info. unknown; | and (iii). Business Record. |
| | | | FRE 403 unduly | FRE 803(6)(B). |
| 16 | | | prejudicial, | Corroborates |
| 17 | | | cumulative; FRE | defendant Officer |
| 18 | | | 404 impermissible | Bell's observations |
| 19 | | | character evidence; FRE 602 & 611 | that plaintiff was |
| | | | speculation, lacks | actively resisting |
| 20 | | | foundation; FRE | and evading arrest because plaintiff |
| 21 | | | 701 & 702 | was aware that he |
| 22 | | | improper opinion. | would be sent back |
| | | | | to prison due to |
| 23 | | | | being a felon in |
| 24 | | | | possession of a |
| 25 | | | | firearm and narcotics. |
| 26 | | | | Also, is relevant to |
| | | | | plaintiff's damages |
| 27 | | | | because a person |
| 28 | | | | who did not have |
| | | | | |

| 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 | 114. | Crime Scene logs [AGO 395-399] | P MIL 1. FRE 801 hearsay. FRE 401 irrelevant info. unknown; FRE 403 unduly prejudicial, cumulative; FRE 602 & 611 speculation, lacks foundation. | methamphetamine and PCP in their body would most likely not have continued to evade and resist arrest after being shot with a .40 caliber bullet. Official Record. FRE 803(8)(A)(i) and (iii). Business Record. FRE 803(6)(B). Corroborates defendant Officer Bell's observations that plaintiff was actively resisting and evading arrest because plaintiff was aware that he would be sent back to prison due to being a felon in possession of a firearm and narcotics. Official Record. |
|---|------|--------------------------------|--|---|
| 20 21 22 23 24 25 26 27 | 116. | District Attorney's | FRE 801 hearsay. FRE 401 irrelevant info. unknown; FRE 403 unduly prejudicial, cumulative; FRE 602 & 611 speculation, lacks foundation. P MILs 1-3. FRE 801 hearsay. | FRE 803(8)(A)(i) and (iii). Business Record. FRE 803(6)(B). |
| 28 | | Findings [AGO 451] | FRE 401 irrelevant info. unknown; | FRE 803(8)(A)(i) and (iii). Business Record. |
| | | | 21 O Joint Exhibit List | Case No.: 5:23-cv-00515-HDV-JPR |
| | | | JOINT EXHIBIT LIST | |

| Case | :23-cv-00515-HDV-JPR | | Filed 09/10/24 | Page 22 of 60 | Page ID |
|------|----------------------|-------|----------------|---------------|---------|
| | | #:834 | | · · | o o |

| 1 | | | FRE 403 unduly | FRE 803(6)(B). | |
|----|------|----------------------|--|---------------------------------------|--------------|
| 2 | | | prejudicial, | Findings which | |
| 3 | | | cumulative; FRE | dispute Plaintiff's | |
| | | | 404 impermissible character evidence; | expert's opinion that Officer Bell | |
| 4 | | | FRE 602 & 611 | did not comply | |
| 5 | | | speculation, lacks | with CHP's | |
| 6 | | | foundation; FRE | Policies. | |
| | | | 701 & 702 | Phillips v. Bratton, | |
| 7 | | | improper opinion | 2008 WL | |
| 8 | | | | 11409876, at *10 (Case No. CV 07- | |
| 9 | | | | 873 CAS (VBKX), | |
| 10 | | | | C.D. Cal. Jan. 28, | |
| | | | | 2008). | |
| 11 | | | | | |
| 12 | 117. | Criminal Case [AGO | P MIL 1. FRE 801 hearsay. | Official Record. | |
| 13 | | 452] | FRE 401 irrelevant | FRE 803(8)(A)(i) and (iii). | |
| | | | info. unknown; | Business Record. | |
| 14 | | | FRE 403 unduly | FRE 803(6)(B). | |
| 15 | | | prejudicial, | Corroborates | |
| 16 | | | cumulative; FRE 404 impermissible | defendant Officer | |
| 17 | | | character evidence; | Bell's observations | |
| | | | FRE 602 & 611 | that plaintiff was actively resisting | |
| 18 | | | speculation, lacks | and evading arrest | |
| 19 | | | foundation; FRE | because plaintiff | |
| 20 | | | 701 & 702 | was aware that he | |
| 21 | | | improper opinion | would be sent back | |
| | | | | to prison due to | |
| 22 | | | | being a felon in possession of a | |
| 23 | | | | firearm and | |
| 24 | | | | narcotics | |
| | 118. | Policy and Procedure | P MILs 1-5. | Official Record. | |
| 25 | | Evaluation Report | FRE 801 hearsay. FRE 401 irrelevant | FRE 803(8)(A)(i) | |
| 26 | | CONFIDENTIAL | info. unknown; | and (iii). Business Record. | |
| 27 | | [AGO 488-496] | FRE 403 unduly | FRE 803(6)(B). | |
| 28 | | | prejudicial, | Findings which | |
| 20 | | | cumulative; FRE | 5 | \bot |
| | | | 22 | Case No.: 5:23-cv-00515-HDV-JPI | \mathbf{R} |

| 1 | | | 404 impermissible | dispute Plaintiff's |
|----|---------|---------------------------|--|---------------------------------------|
| 2 | | | character evidence; | expert's opinion |
| 3 | | | FRE 602 & 611 | that Officer Bell |
| 3 | | | speculation, lacks foundation; FRE | did not comply with CHP's |
| 4 | | | 701 & 702 | Policies. |
| 5 | | | improper opinion. | Phillips v. Bratton, |
| 6 | | | | 2008 WL |
| | | | | 11409876, at *10 |
| 7 | | | | (Case No. CV 07- |
| 8 | | | | 873 CAS (VBKX), C.D. Cal. Jan. 28, |
| 9 | | | | 2008). |
| 10 | | | | |
| | 119. | Hemet PD Dispatch | P MILs 1. | Official Record. |
| 11 | | CONFIDENTIAL | FRE 801 hearsay. FRE 401 irrelevant | FRE 803(8)(A)(i) |
| 12 | | .wav [AGO 498] INITIAL | info. unknown; | and (iii). Business Record. |
| 13 | | DISCLOSURES 1 | FRE 403 unduly | FRE 803(6)(B). |
| | | DISCLOSURES | prejudicial, | 1 KL 603(0)(D). |
| 14 | | | cumulative; FRE | |
| 15 | | | 602 & 611 lacks | |
| 16 | 120. | 603 Hillmer.MOV | foundation. Duplicative of Exh. | May not be |
| 17 | 120. | [AGO 504] | No. 1. FRE 401, | duplicative because |
| | | | 403, 801. | plaintiff has not |
| 18 | | | , | produced the |
| 19 | | | | "relevant portions" |
| 20 | | | | of plaintiff's |
| 21 | 121. | 603 Hilmer- | FRE 401, 403, 801. | exhibit. Accurate depiction |
| | 1 4 1 . | SPANISH.mp4 | 1111 701, 703, 601. | of the scene at the |
| 22 | | [AGO 505] | | time of the |
| 23 | | - | | incident. |
| 24 | 122. | 2022-03-02_16-09- | Duplicative of Exh. | May not be |
| 25 | | 20.AVI [AGO 506] | No. 7. FRE 401, | duplicative because |
| | | | 403, 801. | plaintiff has not produced the |
| 26 | | | | "relevant portions" |
| 27 | | | | of plaintiff's |
| 28 | | | | exhibit. |
| - | | | | |

| 1 | 123. | Axon_Body_3_Video | Duplicative of Exh. | May not be | |
|----|------|---|---------------------|---|--|
| 2 | | _2022-03-02_1609_ | No. 9. FRE 401, | duplicative because | |
| 3 | | X6033338V .mp4 Footage from Hemet | 403, 801. | plaintiff has not produced the | |
| 4 | | Police Department | | "relevant portions" | |
| | | Sergeant Paez BWC | | of plaintiff's | |
| 5 | | [AGO 507] | | exhibit. | |
| 6 | | | | | |
| 7 | | | | | |
| 8 | 124. | AYPV2506.MP4 | FRE 401, 403, 801. | Accurately depicts | |
| 9 | | Front Yard | | the scene on the | |
| 10 | | Surveillance Multiple Vehicles Parked In | | date of the incident showing the police | |
| 11 | | Front of Residence | | response. | |
| 12 | | [AGO 508] INITIAL DISCLOSURES 2A | | | |
| 13 | | DISCLOSURES 2/1 | | | |
| 14 | 105 | DIZGIAACA MDA | EDE 401 402 001 | | |
| 15 | 125. | BKSJ2054.MP4 Backyard | FRE 401, 403, 801. | Accurately depicts the scene on the | |
| 16 | | Surveillance Video | | date of the incident | |
| 17 | | Officers Walking through the Backyard | | showing the police collecting evidence | |
| 18 | | [AGO 509] INITIAL | | at the scene. | |
| 19 | | DISCLOSURES 2b | | | |
| 20 | 126. | DHCY0843.MP4 | FRE 401, 403, 801. | Accurately depicts | |
| | 20. | Front Yard | 1112 101, 103, 001. | the scene on the | |
| 21 | | Surveillance Officers | | date of the incident | |
| 22 | | Locating Bullet Holes After the Incident | | showing the police collecting evidence | |
| 23 | | [AGO 510] INITIAL | | at the scene. | |
| 24 | | DISCLOSURES 2a | | | |
| 25 | 127. | FDDR7512.MP4 | FRE 401, 403, 801. | Accurately depicts | |
| 26 | | Front Yard | | the scene on the | |
| 27 | | Surveillance Video Additional Officers | | date of the incident showing the police | |
| 28 | | Arriving at the Scene | | response. | |
| | | | | | |

| Case 5: | 23-cv-00515-HDV-JPR | Document 63 | Filed 09/10/24 | Page 25 of 60 | Page ID |
|---------|---------------------|-------------|----------------|---------------|---------|
| | | #:837 | | | _ |

| 1 | | [AGO 511] INITIAL | | | |
|-----|------|--|------------------------------|---|--|
| 2 | | DISCLOSURES 2a | | | |
| 3 | 128. | HFPF8390.MP4 | Duplicative of Exh. | May not be | |
| 4 | | Front Yard Surveillance | No. 13. FRE 401, | duplicative because | |
| 5 | | Additional Officers | 403, 801. | plaintiff has not produced the | |
| 6 | | Arriving at the Scene | | "relevant portions" | |
| 7 | | Immediately After the Incident Occurred | | of plaintiff's exhibit. | |
| 8 | | [AGO 512] INITIAL | | CAMOIC. | |
| 9 | | DISCLOSURES 2a | | | |
| 10 | 129. | HMKO9684.MP4 | FRE 401, 403, 801. | Accurately depicts | |
| 11 | | Front Yard | | the scene on the | |
| 12 | | Surveillance Multiple Patrol Vehicle Parked | | date of the incident showing the police | |
| 13 | | in Front of the | | response. | |
| | | Residence [AGO 513] INITIAL | | | |
| 14 | | DISCLOSURES 2a | | | |
| 15 | | | | | |
| 16 | 130. | KTKM2053.MP4 | Duplicative of Exh. | May not be | |
| 17 | | Front Yard Surveillance Videos | No. 3. FRE 401, 403, 801. | duplicative because plaintiff has not | |
| 18 | | Officer in Foot | 403, 801. | produced the | |
| 19 | | Pursuit Running | | "relevant portions" | |
| 20 | | Toward the Front of the Residence [AGO | | of plaintiff's exhibit. | |
| 21 | | 514] INITIAL | | | |
| 22 | | DISCLOSURES 2a | | | |
| 23 | | | | | |
| 24 | 131. | LIGD2098.MP4 Front Yard | FRE 401, 403, 801. | Accurately depicts the scene on the | |
| 25 | | Surveillance Videos | | date of the incident | |
| 26 | | Multiple Patrol | | showing the police | |
| 27 | | Vehicles Parked in Front of Residence | | response. | |
| 28 | | [AGO 515] INITIAL | | | |
| - 1 | I | | | | |

25 Case No.: 5:23-cv-00515-HDV-JPR
JOINT EXHIBIT LIST

| | DISCLOSURES 2a | | |
|------|----------------------|--|--|
| 132. | LMQZ6399.MP4 | FRE 401, 403, 801. | Accurately depicts |
| | Front Yard | | the scene on the |
| | | | date of the incident showing the police |
| | Through the Front | | response. |
| | Yard [AGO 516] | | |
| | DISCLOSURES 2a | | |
| | | | |
| 133. | MCII8645.MP4 Front | FRE 401, 403, 801. | Accurately depicts |
| | Yard Surveillance | | the scene on the |
| | | | date of the incident showing the police |
| | Front Yard After the | | response. |
| | _ | | |
| | INITIAL | | |
| | DISCLOSURES 2a | | |
| | | | |
| 134. | MMXM3627.MP4 | Duplicative of Exh. | May not be |
| | | * | duplicative because plaintiff has not |
| | Officers Running | 103, 001. | produced the |
| | _ | | "relevant portions" of plaintiff's |
| | Guns Shots Heard | | exhibit. |
| | [AGO 518] INITIAL | | |
| | DISCLUSURES 2a | | |
| | | | |
| 135. | | Duplicative of Exh. | May not be duplicative because |
| | Surveillance Videos | 403, 801. | plaintiff has not |
| | Officers Talking in | | produced the |
| | 1 | | "relevant portions" of plaintiff's |
| | DISCLOSURES 2b | | exhibit. |
| | 133. | 132. LMQZ6399.MP4 Front Yard Surveillance Videos Officer Walking Through the Front Yard [AGO 516] INITIAL DISCLOSURES 2a 133. MCII8645.MP4 Front Yard Surveillance Videos Officers Walking Through the Front Yard After the Caution Tape was Put Up [AGO 517] INITIAL DISCLOSURES 2a 134. MMXM3627.MP4 Front Yard Surveillance Videos Officers Running Towards the Shooting Scene with Multiple Guns Shots Heard [AGO 518] INITIAL DISCLOSURES 2a 135. MRAK2661.MP4 Backyard Surveillance Videos Officers Talking in Backyard [AGO 519] INITIAL | 132. LMQZ6399.MP4 Front Yard Surveillance Videos Officer Walking Through the Front Yard [AGO 516] INITIAL DISCLOSURES 2a 133. MCII8645.MP4 Front Yard Surveillance Videos Officers Walking Through the Front Yard After the Caution Tape was Put Up [AGO 517] INITIAL DISCLOSURES 2a 134. MMXM3627.MP4 Front Yard Surveillance Videos Officers Running Towards the Shooting Scene with Multiple Guns Shots Heard [AGO 518] INITIAL DISCLOSURES 2a 135. MRAK2661.MP4 Backyard Surveillance Videos Officers Talking in Backyard [AGO 519] INITIAL |

| 1 | | | | | |
|----|-------------------|---|-------------------------------|--|--|
| 2 | 136. | NCWE2879.MP4 | FRE 401, 403, 801. | Accurately depicts | |
| 3 | | Backyard | 1102 401, 403, 001. | the scene on the | |
| 4 | | Surveillance Videos | | date of the incident | |
| 5 | | Officers Walking through Backyard | | showing the police response. | |
| 6 | | [AGO 520] INITIAL | | | |
| 7 | | DISCLOSURES 2b | | | |
| 8 | | | | | |
| 9 | 137. | NDBQ2555.MP4 | Duplicative of Exh. | May not be | |
| | | Backyard Surveillance Video | No. 17. FRE 401, 403, 801. | duplicative because plaintiff has not | |
| 10 | | Officers Walking | | produced the | |
| 11 | | through the Backyard [AGO 521] INITIAL | | "relevant portions" of plaintiff's | |
| 12 | | DISCLOSURES 2b | | exhibit. | |
| 13 | 138. | NNCY2467.MP4 | FRE 401, 403, 801. | A courate deniction | |
| 14 | 136. | Backyard | TRE 401, 403, 801. | Accurate depiction of the scene on the | |
| 15 | | Surveillance Video | | date of the | |
| 16 | | Officer Walking through the Backyard | | incident. | |
| 17 | | [AGO 522] INITIAL | | | |
| 18 | | DISCLOSURES 2b | | | |
| 19 | 139. | OJMQ5886.MP4 | FRE 401, 403, 801. | Accurate depiction | |
| 20 | | Backyard Surveillance Video | | of the scene on the date of the | |
| 21 | | Officer Walking | | incident. | |
| 22 | | through the Backyard | | | |
| 23 | | and using the Radio to Request Additional | | | |
| 24 | | Officer to the Front | | | |
| 25 | | Yard [AGO 523] INITIAL | | | |
| 26 | | DISCLOSURES 2b | | | |
| 27 | 140. | UGGK1245.MP4 | Duplicative of Exh. | May not be | |
| 28 | 1 U. | Backyard | No. 5. FRE 401, | duplicative because | |
| | | | | | |

| 1 | | Surveillance Videos | 403, 801. | plaintiff has not |
|----|------|---|--------------------|---|
| 2 | | Officers with Guns | | produced the |
| | | Drawn and | | "relevant portions" |
| 3 | | Instructing the Suspect to Drop the | | of plaintiff's exhibit. |
| 4 | | Gun. Multiple Gun | | CAMOII. |
| 5 | | Shots Heard [AGO | | |
| 6 | | 524] INITIAL | | |
| | | DISCLOSURES 2b | | |
| 7 | 141. | VVPM1227.MP4 | FRE 401, 403, 801. | Accurate deniction |
| 8 | 141. | Backyard | TKE 401, 403, 801. | Accurate depiction of the scene on the |
| 9 | | Surveillance Officer | | date of the incident |
| 10 | | is Heard Instructing | | and giving |
| 11 | | the Suspect to Get on | | commands to |
| | | the Ground [AGO 525] INITIAL | | plaintiff. |
| 12 | | DISCLOSURES 2b | | |
| 13 | | | | |
| 14 | 142. | WNRG1367.MP4 | FRE 401, 403, 801. | Accurate depiction |
| 15 | | Front Yard | | of the scene on the |
| | | Surveillance Video Officer Returning to | | date of the incident and in the process |
| 16 | | the Patrol Vehicle to | | of providing |
| 17 | | Obtain Medical | | medical aid to |
| 18 | | Equipment [AGO | | plaintiff. |
| 19 | | 526] INITIAL | | |
| | | DISCLOSURES 2a | | |
| 20 | 143. | WRLN1188.MP4 | FRE 401, 403, 801. | Accurate depiction |
| 21 | | Front Yard | | of the scene on the |
| 22 | | Surveillance Video | | date of the |
| 23 | | Multiple Officers Walking through the | | incident. |
| 24 | | Front Yard [AGO | | |
| | | 527] INITIAL | | |
| 25 | | DISCLOSURES 2a | | |
| 26 | 144. | VDDK 2196 MD4 | EDE 401 402 901 | Accurate deniction |
| 27 | 144. | XBDK3186.MP4 Front Yard | FRE 401, 403, 801. | Accurate depiction of the scene on the |
| 28 | | Surveillance Video | | date of the |
| | - | | | |

| Case | :23-cv-00515-HDV-JPR | Document 63 | Filed 09/10/24 | Page 29 of 60 | Page ID |
|------|----------------------|-------------|----------------|---------------|---------|
| | | #:841 | | | _ |

| 1 | | Officer Walking | | incident. |
|----|----------|-------------------------------------|--------------------|------------------------------------|
| 2 | | through the Front | | |
| | | Yard [AGO 528] | | |
| 3 | | INITIAL DISCLOSURES 2a | | |
| 4 | 145. | XMDR0023.MP4 | FRE 401, 403, 801. | Accurate depiction |
| 5 | 1 15. | Backyard | 1101, 103, 001. | of the scene on the |
| 6 | | Surveillance Video | | date of the |
| | | Officers Walking | | incident. |
| 7 | | through the Backyard | | |
| 8 | | [AGO 529] INITIAL DISCLOSURES 2a | | |
| 9 | | DISCLOSURES 2a | | |
| 10 | | | | |
| | 146. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| 11 | | Combined Photos 1 | | FRE 803(8)(A)(i) |
| 12 | | Subset | | and (iii). |
| 13 | | CONFIDENTIAL [AGO 530-546] | | Business Record. FRE 803(6)(B). |
| | | [AGO 330-340] | | Accurate depiction |
| 14 | | | | of the scene on the |
| 15 | | | | date of the |
| 16 | | | | incident. |
| 17 | 147. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| | | Combined Photos 1 [AGO 547-603] | | FRE 803(8)(A)(i) and (iii). |
| 18 | | [AGO 547-005] | | Business Record. |
| 19 | | | | FRE 803(6)(B). |
| 20 | | | | Accurate depiction |
| 21 | | | | of the scene on the |
| | | | | date of the |
| 22 | 148. | OIS-655-03022022 | FRE 401, 403. | incident. Official Record. |
| 23 | 170. | Combine Photos 2 | 11111 701, 703. | FRE 803(8)(A)(i) |
| 24 | | Subset | | and (iii). |
| | | CONFIDENTIAL | | Business Record. |
| 25 | | [AGO 604-629] | | FRE 803(6)(B). |
| 26 | | | | Accurate depiction |
| 27 | | | | of the scene on the date of the |
| 28 | | | | incident. |
| -0 | <u> </u> | 1 | <u> </u> | |

| 1 | 149. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
|----|------|-------------------|----------------|--|
| 2 | | Combined Photos 2 | | FRE 803(8)(A)(i) |
| | | [AGO 630-678] | | and (iii). |
| 3 | | | | Business Record. |
| 4 | | | | FRE 803(6)(B). |
| 5 | | | | Accurate depiction of the scene on the |
| | | | | date of the |
| 6 | | | | incident. |
| 7 | 150. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| 8 | | Combined Photos 3 | | FRE 803(8)(A)(i) |
| | | Subset | | and (iii). |
| 9 | | CONFIDENTIAL | | Business Record. |
| 10 | | [AGO 679-687] | | FRE 803(6)(B). |
| 11 | | | | Accurate depiction |
| | | | | of the scene on the date of the |
| 12 | | | | incident. |
| 13 | 151. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| 14 | | Combined Photos 3 | , | FRE 803(8)(A)(i) |
| | | [AGO 688-753] | | and (iii). |
| 15 | | | | Business Record. |
| 16 | | | | FRE 803(6)(B). |
| 17 | | | | Accurate depiction |
| | | | | of the scene on the date of the |
| 18 | | | | incident. |
| 19 | 152. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| 20 | | Combined Photos 3 | 112 101, 100. | FRE 803(8)(A)(i) |
| | | [AGO 688-753] | | and (iii). |
| 21 | | | | Business Record. |
| 22 | | | | FRE 803(6)(B). |
| 23 | | | | Accurate depiction |
| | | | | of the scene on the date of the |
| 24 | | | | incident. |
| 25 | 153. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| 26 | | Combine Photos 4 | 1122 101, 100. | FRE 803(8)(A)(i) |
| | | Subset | | and (iii). |
| 27 | | CONFIDENTIAL | | Business Record. |
| 28 | | [AGO 754-764] | | FRE 803(6)(B). |
| | 1 | | | |

| 1 | | | | Accurate depiction |
|----|--------------|---------------------------------------|---------------|--|
| 2 | | | | of the scene on the |
| | | | | date of the |
| 3 | | | | incident. |
| 4 | 154. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| _ | | Combined Photos 4 | | FRE 803(8)(A)(i) |
| 5 | | [AGO 765-828] | | and (iii). |
| 6 | | | | Business Record. |
| 7 | | | | FRE 803(6)(B). |
| • | | | | Accurate depiction of the scene on the |
| 8 | | | | date of the |
| 9 | | | | incident. |
| 10 | 155. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| 10 | | Combined Photos 5 | | FRE 803(8)(A)(i) |
| 11 | | Subset | | and (iii). |
| 12 | | CONFIDENTIAL | | Business Record. |
| | | [AGO 829-848] | | FRE 803(6)(B). |
| 13 | | | | Accurate depiction |
| 14 | | | | of the scene on the |
| 15 | | | | date of the |
| | 1.5.6 | 010 (55 0202022 | EDE 401 402 | incident. |
| 16 | 156. | OIS-655-03022022 Combined Photos 5 | FRE 401, 403. | Official Record. |
| 17 | | [AGO 849-881] | | FRE 803(8)(A)(i) and (iii). |
| | | [AGO 049-001] | | Business Record. |
| 18 | | | | FRE 803(6)(B). |
| 19 | | | | Accurate depiction |
| 20 | | | | of the scene on the |
| | | | | date of the |
| 21 | | | | incident. |
| 22 | 157. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| 23 | | Combined Photos 6 | | FRE 803(8)(A)(i) |
| | | Subset | | and (iii). |
| 24 | | CONFIDENTIAL | | Business Record. |
| 25 | | [AGO 882-886] | | FRE 803(6)(B). |
| 26 | | | | Accurate depiction of the scene on the |
| | | | | date of the |
| 27 | | | | incident. |
| 28 | 158. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| _ | ' | 1 | , | <u>'</u> |

JOINT EXHIBIT LIST

| 1 | | Combined Photos 6 | | FRE 803(8)(A)(i) |
|----|------|-----------------------------------|---------------|--|
| 2 | | [AGO 887-956] | | and (iii). |
| 3 | | | | Business Record. |
| 3 | | | | FRE 803(6)(B). Accurate depiction |
| 4 | | | | of the scene on the |
| 5 | | | | date of the |
| | | | | incident. |
| 6 | 159. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| 7 | | Combined Photos 7 | | FRE 803(8)(A)(i) |
| 8 | | [AGO 957-1006] | | and (iii). |
| 9 | | | | Business Record. |
| | | | | FRE 803(6)(B). |
| 10 | | | | Accurate depiction of the scene on the |
| 11 | | | | date of the |
| 12 | | | | incident. |
| | 160. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| 13 | | Combined Photos 8 | | FRE 803(8)(A)(i) |
| 14 | | Subset | | and (iii). |
| 15 | | CONFIDENTIAL | | Business Record. |
| | | [AGO 1007-1010] | | FRE 803(6)(B). Accurate depiction |
| 16 | | | | of the scene on the |
| 17 | | | | date of the |
| 18 | | | | incident. |
| | 161. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| 19 | | Combined Photos 8 | | FRE 803(8)(A)(i) |
| 20 | | [AGO 1011-1070] | | and (iii). |
| 21 | | | | Business Record. FRE 803(6)(B). |
| 22 | | | | Accurate depiction |
| | | | | of the scene on the |
| 23 | | | | date of the |
| 24 | | | | incident. |
| 25 | 162. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| | | Combined Photos 9 [AGO 1071-1145] | | FRE 803(8)(A)(i) |
| 26 | | [A00 10/1-1143] | | and (iii). Business Record. |
| 27 | | | | FRE 803(6)(B). |
| 28 | | | | Accurate depiction |
| | | | | |

32 Case No.: 5:23-cv-00515-HDV-JPR
JOINT EXHIBIT LIST

| 1 | | | | of the scene on the |
|----|----------------|--------------------|-----------------------------|--|
| 2 | | | | date of the |
| | | | | incident. |
| 3 | 163. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| 4 | | Combined Photos | | FRE 803(8)(A)(i) |
| _ | | [AGO 1146-1219] | | and (iii). |
| 5 | | | | Business Record. |
| 6 | | | | FRE 803(6)(B). |
| 7 | | | | Accurate depiction of the scene on the |
| | | | | date of the |
| 8 | | | | incident. |
| 9 | 164. | OIS-655-03022022 | FRE 401, 403. | Official Record. |
| 10 | | Combined Photos 11 | , | FRE 803(8)(A)(i) |
| | | CONFIDENTIAL | | and (iii). |
| 11 | | [AGO 1220-1236] | | Business Record. |
| 12 | | | | FRE 803(6)(B). |
| 13 | | | | Accurate depiction |
| | | | | of the scene on the date of the |
| 14 | | | | incident. |
| 15 | 165. | Michael Bell | P MILs 1. | Official Record. |
| 16 | | Training Records | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| | | [AGO 1237-1273] | FRE 401 irrelevant | and (iii). |
| 17 | | | info. unknown; | Business Record. |
| 18 | | | FRE 403 unduly | FRE 803(6)(B). |
| 19 | | | prejudicial, | Findings which |
| | | | cumulative; FRE | dispute Plaintiff's |
| 20 | | | 602 & 611 lacks foundation. | expert's opinion that Officer Bell |
| 21 | | | Touridation. | did not comply |
| 22 | | | | with CHP's |
| | | | | Policies. |
| 23 | | | | Phillips v. Bratton, |
| 24 | | | | 2008 WL |
| 25 | | | | 11409876, at *10 |
| | | | | (Case No. CV 07- |
| 26 | | | | 873 CAS (VBKX), C.D. Cal. Jan. 28, |
| 27 | | | | 2008). |
| 28 | | | | |
| 20 | | 1 | 1 | <u> </u> |

| 1 | 166. | CH1 HPM 70.6, | P MIL 1. | Official Record. |
|----|------|--------------------------------|--|---------------------------------------|
| 2 | | Chapter 1 Use of | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 3 | | Force [AGO 1274- | FRE 401 irrelevant | and (iii). |
| | | [1295] | info. unknown; FRE 403 unduly | Business Record. FRE 803(6)(B). |
| 4 | | | prejudicial, | Findings which |
| 5 | | | cumulative; FRE | dispute Plaintiff's |
| 6 | | | 404 impermissible | expert's opinion |
| 7 | | | character evidence; | that Officer Bell |
| | | | FRE 602 & 611 speculation, lacks | did not comply with CHP's |
| 8 | | | foundation; FRE | Policies. |
| 9 | | | 701 & 702 | Phillips v. Bratton, |
| 10 | | | improper opinion. | 2008 WL |
| 11 | | | | 11409876, at *10 |
| | | | | (Case No. CV 07- 873 CAS (VBKX), |
| 12 | | | | C.D. Cal. Jan. 28, |
| 13 | | | | 2008). |
| 14 | | | | |
| 15 | 167. | LD20 TTS Training | P MIL 1. | Official Record. |
| | | and Testing Specifications for | FRE 801 hearsay. FRE 401 irrelevant | FRE 803(8)(A)(i) and (iii). |
| 16 | | Learning Domain #20 | info. unknown; | Business Record. |
| 17 | | Use of | FRE 403 unduly | FRE 803(6)(B). |
| 18 | | Force/Deescalation, | prejudicial, | Findings which |
| 19 | | dated October 1, | cumulative; FRE | dispute Plaintiff's |
| | | 2020 [AGO 1296- 1304] | 404 impermissible character evidence; | expert's opinion that Officer Bell |
| 20 | | 1304] | FRE 602 & 611 | did not comply |
| 21 | | | speculation, lacks | with CHP's |
| 22 | | | foundation; FRE | Policies. |
| 23 | | | 701 & 702 | Phillips v. Bratton, |
| | | | improper opinion. | 2008 WL 11409876, at *10 |
| 24 | | | | (Case No. CV 07- |
| 25 | | | | 873 CAS (VBKX), |
| 26 | | | | C.D. Cal. Jan. 28, |
| 27 | | | | 2008). |
| 28 | 168. | LD20-MOD 2 Use of | P MIL 1. | Official Record. |

| 1 | | Force Enforcement | FRE 801 hearsay. | FRE 803(8)(A)(i) |
|----|------|--------------------|--------------------------------------|--------------------------------------|
| 2 | | Tactics Unit Power | FRE 401 irrelevant | and (iii). |
| 3 | | Point[AGO 1305] | info. unknown; FRE 403 unduly | Business Record. FRE 803(6)(B). |
| | | | prejudicial, | Findings which |
| 4 | | | cumulative; FRE | dispute Plaintiff's |
| 5 | | | 404 impermissible | expert's opinion |
| 6 | | | character evidence; | that Officer Bell |
| 7 | | | FRE 602 & 611 speculation, lacks | did not comply with CHP's |
| 8 | | | foundation; FRE | Policies. |
| | | | 701 & 702 | Phillips v. Bratton, |
| 9 | | | improper opinion. | 2008 WL |
| 10 | | | | 11409876, at *10 (Case No. CV 07- |
| 11 | | | | 873 CAS (VBKX), |
| 12 | | | | C.D. Cal. Jan. 28, |
| 13 | | | | 2008). |
| | 169. | LD20-MOD 3 [AGO | P MIL 1. | Official Record. |
| 14 | | 1306] | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 15 | | _ | FRE 401 irrelevant | and (iii). |
| 16 | | | info. unknown; | Business Record. |
| 17 | | | FRE 403 unduly prejudicial, | FRE 803(6)(B). Findings which |
| 18 | | | cumulative; FRE | dispute Plaintiff's |
| | | | 404 impermissible | expert's opinion |
| 19 | | | character evidence; FRE 602 & 611 | that Officer Bell |
| 20 | | | speculation, lacks | did not comply with CHP's |
| 21 | | | foundation; FRE | Policies. |
| 22 | | | 701 & 702 | Phillips v. Bratton, |
| 23 | | | improper opinion. | 2008 WL 11409876, at *10 |
| 24 | | | | (Case No. CV 07- |
| | | | | 873 CAS (VBKX), |
| 25 | | | | C.D. Cal. Jan. 28, |
| 26 | | | | 2008). |
| 27 | 170. | LD20-MOD 4 [AGO | P MIL 1. | Official Record. |
| 28 | | 1307] | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| | | | | |

| 1 | | | FRE 401 irrelevant | and (iii). |
|----|----------|-----------------|-----------------------------------|--------------------------------------|
| 2 | | | info. unknown; | Business Record. |
| 3 | | | FRE 403 unduly prejudicial, | FRE 803(6)(B). Findings which |
| | | | cumulative; FRE | dispute Plaintiff's |
| 4 | | | 404 impermissible | expert's opinion |
| 5 | | | character evidence; | that Officer Bell |
| 6 | | | FRE 602 & 611 speculation, lacks | did not comply with CHP's |
| 7 | | | foundation; FRE | Policies. |
| 8 | | | 701 & 702 | Phillips v. Bratton, |
| | | | improper opinion. | 2008 WL |
| 9 | | | | 11409876, at *10 (Case No. CV 07- |
| 10 | | | | 873 CAS (VBKX), |
| 11 | | | | C.D. Cal. Jan. 28, |
| 12 | | | | 2008). |
| 13 | 171. | LD20-MOD 5 [AGO | P MIL 1. | Official Record. |
| 14 | | 1308] | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 15 | | | FRE 401 irrelevant | and (iii). |
| | | | info. unknown; FRE 403 unduly | Business Record. |
| 16 | | | prejudicial, | FRE 803(6)(B). Findings which |
| 17 | | | cumulative; FRE | dispute Plaintiff's |
| 18 | | | 404 impermissible | expert's opinion |
| 19 | | | character evidence; FRE 602 & 611 | that Officer Bell did not comply |
| 20 | | | speculation, lacks | with CHP's |
| | | | foundation; FRE | Policies. |
| 21 | | | 701 & 702 | Phillips v. Bratton, |
| 22 | | | improper opinion. | 2008 WL 11409876, at *10 |
| 23 | | | | (Case No. CV 07- |
| 24 | | | | 873 CAS (VBKX), |
| 25 | | | | C.D. Cal. Jan. 28, 2008). |
| 26 | | | | 2000). |
| 27 | 172. | LD20-MOD 6 [AGO | P MIL 1. | Official Record. |
| | | [1309] | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 28 | <u> </u> | | FRE 401 irrelevant | and (iii). |

| 1 | | | info. unknown; | Business Record. |
|----|------|-----------------------|-----------------------------------|--------------------------------------|
| 2 | | | FRE 403 unduly | FRE 803(6)(B). |
| 3 | | | prejudicial, | Findings which dispute Plaintiff's |
| | | | cumulative; FRE 404 impermissible | expert's opinion |
| 4 | | | character evidence; | that Officer Bell |
| 5 | | | FRE 602 & 611 | did not comply |
| 6 | | | speculation, lacks | with CHP's |
| 7 | | | foundation; FRE 701 & 702 | Policies. |
| | | | improper opinion. | Phillips v. Bratton, 2008 WL |
| 8 | | | improper opinion. | 11409876, at *10 |
| 9 | | | | (Case No. CV 07- |
| 10 | | | | 873 CAS (VBKX), |
| 11 | | | | C.D. Cal. Jan. 28, 2008). |
| | | | | 2006). |
| 12 | 173. | Deadly [AGO 1310] | P MIL 1. | Official Record. |
| 13 | | | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 14 | | | FRE 401 irrelevant | and (iii). |
| 15 | | | info. unknown; FRE 403 unduly | Business Record. FRE 803(6)(B). |
| 16 | | | prejudicial, | Findings which |
| | | | cumulative; FRE | dispute Plaintiff's |
| 17 | | | 404 impermissible | expert's opinion |
| 18 | | | character evidence; | that Officer Bell |
| 19 | | | FRE 602 & 611 speculation, lacks | did not comply with CHP's |
| 20 | | | foundation; FRE | Policies. |
| | | | 701 & 702 | Phillips v. Bratton, |
| 21 | | | improper opinion. | 2008 WL |
| 22 | | | | 11409876, at *10 (Case No. CV 07- |
| 23 | | | | 873 CAS (VBKX), |
| 24 | | | | C.D. Cal. Jan. 28, |
| 25 | | | | 2008). |
| | 174 | N 1 11 [ACO | DMII 1 | Official Passad |
| 26 | 174. | Non-deadly [AGO 1311] | P MIL 1. FRE 801 hearsay. | Official Record. FRE 803(8)(A)(i) |
| 27 | | 1011 | FRE 401 irrelevant | and (iii). |
| 28 | | | info. unknown; | Business Record. |
| | | | | |

| 1 | | | FRE 403 unduly | FRE 803(6)(B). |
|----|------|----------------------|---------------------------------------|---------------------------------------|
| 2 | | | prejudicial, | Findings which |
| 3 | | | cumulative; FRE | dispute Plaintiff's |
| | | | 404 impermissible character evidence; | expert's opinion that Officer Bell |
| 4 | | | FRE 602 & 611 | did not comply |
| 5 | | | speculation, lacks | with CHP's |
| 6 | | | foundation; FRE | Policies. |
| 7 | | | 701 & 702 improper opinion. | Phillips v. Bratton, 2008 WL |
| | | | improper opinion. | 11409876, at *10 |
| 8 | | | | (Case No. CV 07- |
| 9 | | | | 873 CAS (VBKX), |
| 10 | | | | C.D. Cal. Jan. 28, 2008). |
| 11 | | | | 2008). |
| 12 | 175. | Media1.wmv - | P MIL 1. | Official Record. |
| 13 | | Training Video CHP | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| | | Officers Gunned | FRE 401 irrelevant | and (iii). Business Record. |
| 14 | | Down[AGO 1312]. | info. unknown; FRE 403 unduly | FRE 803(6)(B). |
| 15 | | | prejudicial, | Findings which |
| 16 | | | cumulative; FRE | dispute Plaintiff's |
| 17 | | | 404 impermissible | expert's opinion that Officer Bell |
| | | | character evidence; FRE 602 & 611 | did not comply |
| 18 | | | speculation, lacks | with CHP's |
| 19 | | | foundation; FRE | Policies. |
| 20 | | | 701 & 702 | Phillips v. Bratton, |
| 21 | | | improper opinion. | 2008 WL 11409876, at *10 |
| 22 | | | | (Case No. CV 07- |
| 23 | | | | 873 CAS (VBKX), |
| | | | | C.D. Cal. Jan. 28, 2008). |
| 24 | | | | 2000). |
| 25 | 176. | Media2.mwv – | P MIL 1. | Official Record. |
| 26 | | Training Video | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 27 | | Keeping Safe | FRE 401 irrelevant | and (iii). Business Record. |
| 28 | | Distance [AGO 1313]. | info. unknown; FRE 403 unduly | FRE 803(6)(B). |
| 20 | | 10 J· | 1 TILL 100 minung | 1222 000(0)(2). |

| 1 | | | prejudicial, | Findings which |
|----|------|---|--|--------------------------------------|
| 2 | | | cumulative; FRE 404 impermissible | dispute Plaintiff's expert's opinion |
| 3 | | | character evidence; | that Officer Bell |
| 4 | | | FRE 602 & 611 | did not comply |
| 5 | | | speculation, lacks | with CHP's |
| | | | foundation; FRE 701 & 702 | Policies. Phillips v. Bratton, |
| 6 | | | improper opinion. | 2008 WL |
| 7 | | | | 11409876, at *10 |
| 8 | | | | (Case No. CV 07- 873 CAS (VBKX), |
| 9 | | | | C.D. Cal. Jan. 28, |
| 10 | | | | 2008). |
| 11 | 177. | Media3.mwv - | P MIL 1. | Official Record. |
| 12 | ,,, | Training Video | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 13 | | Officer Shot Upon | FRE 401 irrelevant | and (iii). |
| | | Approaching Vehicle Window[AGO 1314]. | info. unknown; FRE 403 unduly | Business Record. FRE 803(6)(B). |
| 14 | | Window[AGO 1314]. | prejudicial, | Findings which |
| 15 | | | cumulative; FRE | dispute Plaintiff's |
| 16 | | | 404 impermissible | expert's opinion |
| 17 | | | character evidence; FRE 602 & 611 | that Officer Bell did not comply |
| 18 | | | speculation, lacks | with CHP's |
| 19 | | | foundation; FRE | Policies. |
| | | | 701 & 702 improper opinion. | Phillips v. Bratton, 2008 WL |
| 20 | | | improper opinion. | 11409876, at *10 |
| 21 | | | | (Case No. CV 07- |
| 22 | | | | 873 CAS (VBKX), |
| 23 | | | | C.D. Cal. Jan. 28, 2008). |
| 24 | | | | |
| 25 | 178. | Media4.wmv – | P MIL 1. | Official Record. |
| 26 | | Training Video Texas Police Dash Cam of | FRE 801 hearsay. FRE 401 irrelevant | FRE 803(8)(A)(i) and (iii). |
| | | Officer Pursuing | info. unknown; | Business Record. |
| 27 | | Suspects Shot in Face | FRE 403 unduly | FRE 803(6)(B). |
| 28 | | [AGO 1315] | prejudicial, | Findings which |

| 1 2 3 4 5 6 7 8 9 | | | cumulative; FRE 404 impermissible character evidence; FRE 602 & 611 speculation, lacks foundation; FRE 701 & 702 improper opinion. | dispute Plaintiff's expert's opinion that Officer Bell did not comply with CHP's Policies. Phillips v. Bratton, 2008 WL 11409876, at *10 (Case No. CV 07- 873 CAS (VBKX), C.D. Cal. Jan. 28, 2008). |
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| 10 | 179. | Media5.wmv – | P MIL 1. | Official Record. |
| 12 | | Training Video Cop Indicted in Baton | FRE 801 hearsay. FRE 401 irrelevant | FRE 803(8)(A)(i) and (iii). |
| 13 | | Beating [AGO 1316] | info. unknown; FRE 403 unduly | Business Record. FRE 803(6)(B). |
| 14 | | | prejudicial, | Findings which |
| 15 | | | cumulative; FRE 404 impermissible | dispute Plaintiff's expert's opinion |
| 16 | | | character evidence; | that Officer Bell |
| 17 | | | FRE 602 & 611 speculation, lacks | did not comply with CHP's |
| 18 | | | foundation; FRE | Policies. |
| 19 | | | 701 & 702 improper opinion. | Phillips v. Bratton, 2008 WL |
| 20 | | | improper opinion. | 11409876, at *10 |
| 21 | | | | (Case No. CV 07- 873 CAS (VBKX), |
| 22 | | | | C.D. Cal. Jan. 28, |
| 23 | | | | 2008). |
| 24 | 180. | Media6.wmv – | P MIL 1. | Official Record. |
| 25 | | Training Video Deputy Shoots and | FRE 801 hearsay. FRE 401 irrelevant | FRE 803(8)(A)(i) and (iii). |
| 26 | | Kills Suspect After | info. unknown; | Business Record. |
| 27 | | Scuffle in Florida [AGO 1317] | FRE 403 unduly prejudicial, | FRE 803(6)(B). Findings which |
| 28 | | [[| cumulative; FRE | dispute Plaintiff's |

| 1 | | | 404 impermissible | expert's opinion |
|----|------|-------------------------------------|------------------------------------|---------------------------------------|
| 2 | | | character evidence; | that Officer Bell |
| 3 | | | FRE 602 & 611 | did not comply with CHP's |
| | | | speculation, lacks foundation; FRE | Policies. |
| 4 | | | 701 & 702 | Phillips v. Bratton, |
| 5 | | | improper opinion. | 2008 WL |
| 6 | | | | 11409876, at *10 |
| 7 | | | | (Case No. CV 07- |
| | | | | 873 CAS (VBKX), C.D. Cal. Jan. 28, |
| 8 | | | | 2008). |
| 9 | | | | |
| 10 | 181. | Media7.wmv – Training Video Long | P MIL 1. FRE 801 hearsay. | Official Record. FRE 803(8)(A)(i) |
| 11 | | Beach Police Caught | FRE 401 irrelevant | and (iii). |
| 12 | | on Camera Bating | info. unknown; | Business Record. |
| 13 | | Suspect with Baton | FRE 403 unduly | FRE 803(6)(B). |
| | | [AGO 1318] | prejudicial, cumulative; FRE | Findings which dispute Plaintiff's |
| 14 | | | 404 impermissible | expert's opinion |
| 15 | | | character evidence; | that Officer Bell |
| 16 | | | FRE 602 & 611 | did not comply |
| 17 | | | speculation, lacks | with CHP's |
| | | | foundation; FRE 701 & 702 | Policies. Phillips v. Bratton, |
| 18 | | | improper opinion. | 2008 WL |
| 19 | | | | 11409876, at *10 |
| 20 | | | | (Case No. CV 07- |
| 21 | | | | 873 CAS (VBKX), C.D. Cal. Jan. 28, |
| 22 | | | | 2008). |
| 23 | 192 | Modio 9 www. | D MIL 1 | Official Record. |
| | 182. | Media8.wmv – Training Video | P MIL 1. FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 24 | | Protesters Pepper | FRE 401 irrelevant | and (iii). |
| 25 | | Sprayed [AGO 1319] | info. unknown; | Business Record. |
| 26 | | | FRE 403 unduly | FRE 803(6)(B). |
| 27 | | | prejudicial, cumulative; FRE | Findings which dispute Plaintiff's |
| 28 | | | 404 impermissible | expert's opinion |
| 20 | | <u> </u> | | |

| 1 2 3 4 5 6 7 | | | character evidence; FRE 602 & 611 speculation, lacks foundation; FRE 701 & 702 improper opinion. | that Officer Bell did not comply with CHP's Policies. Phillips v. Bratton, 2008 WL 11409876, at *10 (Case No. CV 07- 873 CAS (VBKX), C.D. Cal. Jan. 28, 2008). |
|---------------------------------|------|---------------------------------------|---|--|
| 8 | | | | ŕ |
| 9 | 183. | Media9.wmv Training Video | P MIL 1. FRE 801 hearsay. | Official Record. FRE 803(8)(A)(i) |
| 10 | | Arrest for Failure to | FRE 401 irrelevant | and (iii). |
| 12 | | Stop When Signaled by Police [AGO | info. unknown; FRE 403 unduly | Business Record. FRE 803(6)(B). |
| 13 | | 1320] | prejudicial, cumulative; FRE | Findings which dispute Plaintiff's |
| 14 | | | 404 impermissible | expert's opinion |
| 15 | | | character evidence; FRE 602 & 611 | that Officer Bell did not comply |
| 16 | | | speculation, lacks | with CHP's Policies. |
| 17 | | | foundation; FRE 701 & 702 | Phillips v. Bratton, |
| 18 | | | improper opinion. | 2008 WL 11409876, at *10 |
| 19 | | | | (Case No. CV 07- |
| 20 | | | | 873 CAS (VBKX), C.D. Cal. Jan. 28, |
| 21 | | | | 2008). |
| 22 | 184. | Media10.wmv – | P MIL 1. | Official Record. |
| 23 | | Training Video CHP Tasered Woman | FRE 801 hearsay. FRE 401 irrelevant | FRE 803(8)(A)(i) and (iii). |
| 24 25 | | Goes into Cardiac | info. unknown; | Business Record. |
| 26 | | Arrest During Traffic Stop [AGO 1321] | FRE 403 unduly prejudicial, | FRE 803(6)(B). Findings which |
| 27 | | r [| cumulative; FRE | dispute Plaintiff's |
| 28 | | | 404 impermissible character evidence; | expert's opinion that Officer Bell |
| - | | | | • |

| FRE 602 & 611 speculation, lacks foundation; FRE 701 & 702 improper opinion. Solution Solution | | | | | |
|--|----|------|----------------|---------------------------------------|------------------|
| foundation; FRE 701 & 702 improper opinion. Solution Policies Phillips v. Bratton, improper opinion Phillips v. Bratton, improper opinion Phillips v. Bratton, independent of the phillips v. Bratton, independent opinion Phillips | | | | | - · |
| Improper opinion. 2008 WL 11409876, at *10 (Case No. CV 07-873 CAS (VBKX), C.D. Cal. Jan. 28, 2008). | | | | foundation; FRE | |
| 1 | 3 | | | | - |
| S | 4 | | | improper opinion. | |
| 185. Mediall.wmv - Training Video Oregon State Police Video Captures Fatal Freeway Shooting [AGO 1322] PRE 401 irrelevant info. unknown; FRE 404 impermissible character evidence; FRE 602 & 611 speculation, lacks foundation; FRE 701 & 702 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 702 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 702 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 702 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 702 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 702 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 702 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 702 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 702 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 702 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 702 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 703 & 704 & 704 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 704 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 704 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 704 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 704 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 701 & 704 improper opinion. PMIL 1. Speculation, lacks foundation; FRE 801 hearsay. Speculation, lacks foundation; FRE 803 (8)(A)(i) and (iii). PMIL 1. Speculation, lacks foundation; FRE 803 (8)(B). Specul | 5 | | | | (Case No. CV 07- |
| 185. Media11.wmv - Training Video Oregon State Police Video Captures Fatal Freeway Shooting [AGO 1322] FRE 401 irrelevant info. unknown; FRE 403 unduly prejudicial, cumulative; FRE 404 impermissible character evidence; FRE 602 & 611 speculation, lacks foundation; FRE 701 & 702 improper opinion. FRE 803 (8)(A)(i) and (iii). Business Record. FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell did not comply with CHP's Policies. Phillips v. Bratton, 2008 WL 11409876, at *10 (Case No. CV 07-873 CAS (VBKX), C.D. Cal. Jan. 28, 2008). TRE 801 hearsay. FRE 801 hearsay. FRE 803(8)(A)(i) and (iii). Business Record. FRE 803(8)(A)(i) and (iii). FRE 803(8)(B). FRE 80 | 6 | | | | ` ' |
| 185. Mediall.wmv - Training Video Oregon State Police Video Captures Fatal Freeway Shooting [AGO 1322] FRE 401 irrelevant info. unknown; FRE 403 unduly prejudicial, cumulative; FRE 404 impermissible character evidence; FRE 602 & 611 speculation, lacks foundation; FRE 701 & 702 phillips v. Bratton, 2008 WL 11409876, at *10 (Case No. CV 07-873 CAS (VBKX), C.D. Cal. Jan. 28, 2008). P MIL 1. FRE 801 hearsay. FRE 803(8)(A)(i) and (iii). Business Record. FRE 803(6)(B). Fred 404 impermissible character evidence; FRE 602 & 611 speculation, lacks foundation; FRE 701 & 702 phillips v. Bratton, 2008 WL 11409876, at *10 (Case No. CV 07-873 CAS (VBKX), C.D. Cal. Jan. 28, 2008). P MIL 1. FRE 801 hearsay. FRE 401 irrelevant info. unknown; FRE 403 unduly prejudicial, cumulative; FRE 404 impermissible character evidence; FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion tha | 7 | | | | · · |
| 185. Medial I.wmv - Training Video Oregon State Police Video Captures Fatal Freeway Shooting [AGO 1322] FRE 403 unduly FRE 803(6)(B). FRE 403 unduly FRE 803(6)(B). Freeway Shooting FRE 602 & 611 Speculation, lacks foundation; FRE FRE 602 & 611 Speculation, lacks foundation; FRE Policies. Phillips v. Bratton, 2008 WL 11409876, at *10 (Case No. CV 07-873 CAS (VBKX), C.D. Cal. Jan. 28, 2008). FRE 801 hearsay. FRE 803(8)(A)(i) and (iii). Indicate of the property of the pro | 8 | | | | , |
| Oregon State Police Video Captures Fatal Freeway Shooting [AGO 1322] PRE 403 unduly prejudicial, cumulative; FRE 404 impermissible character evidence; FRE 602 & 611 speculation, lacks foundation; FRE 701 & 702 improper opinion. Physical Plaintiff's expert's opinion that Officer Bell did not comply with CHP's Policies. Phillips v. Bratton, improper opinion. PMIL 1. FRE 803(8)(A)(i) and (iii). Business Record. FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell did not comply with CHP's Policies. Phillips v. Bratton, improper opinion. 186. Media12.wmv - Training Video Response to Burglary Call - Use of Deadly Force - [AGO 1323] FRE 401 irrelevant info. unknown; FRE 403 unduly FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Official Record. FRE 803(8)(A)(i) and (iii). Business Record. FRE 803(8)(A)(i) and (iii). Business Record. FRE 803(8)(A)(i) and (iii). FRE 403 unduly priciplicial, cumulative; FRE 404 irrelevant dispute Plaintiff's expert's opinion that Officer Bell freeway Shooting FRE 403 unduly prejudicial, cumulative; FRE 404 impermissible character evidence: FRE 803(8)(A)(i) and (iii). Business Record. FRE 803(8)(A)(i) and (iii). Business Record. FRE 803(8)(A)(i) FRE 403 unduly prejudicial, cumulative; FRE 404 irrelevant info. unknown; FRE 403 unduly prejudicial, cumulative; FRE 404 irrelevant info. unknown; FRE 803(6)(B). FRE 803(B)(B). FRE 8 | | 185. | | | |
| Video Captures Fatal Freeway Shooting [AGO 1322] 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 Video Captures Fatal Freeway Shooting [AGO 1322] Video Captures Fatal Freeway Shooting FRE 403 unduly prejudicial, cumulative; FRE 404 impermissible character evidence; FRE 602 & 611 speculation, lacks foundation; FRE 701 & 702 improper opinion. PMIL 1. FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell did not comply with CHP's Policies. Phillips v. Bratton, 2008 WL 11409876, at *10 (Case No. CV 07- 873 CAS (VBKX), C.D. Cal. Jan. 28, 2008). 186. Media12.wmv - Training Video Response to Burglary Call - Use of Deadly Force - [AGO 1323] FRE 403 unduly prejudicial, cumulative; FRE 404 impermissible character evidence; the dispute Plaintiff's expert's opinion that Officer Bell FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell | | | | 1 | |
| [AGO 1322] prejudicial, cumulative; FRE 404 impermissible character evidence; FRE 602 & 611 speculation, lacks foundation; FRE 701 & 702 improper opinion. 17 | | | l - | - | |
| cumulative; FRE 404 impermissible character evidence; FRE 602 & 611 speculation, lacks foundation; FRE 701 & 702 improper opinion. 18 19 20 21 22 186. Media12.wmv - Training Video Response to Burglary Call - Use of Deadly Force - [AGO 1323] P MIL 1. FRE 801 hearsay. FRE 403 unduly prejudicial, cumulative; FRE 404 impermissible character evidence; FRE 602 & 611 did not comply with CHP's Policies. Phillips v. Bratton, 2008 WL 11409876, at *10 (Case No. CV 07- 873 CAS (VBKX), C.D. Cal. Jan. 28, 2008). Official Record. FRE 803(8)(A)(i) and (iii). Business Record. FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell did not comply with CHP's Policies. Phillips v. Bratton, 2008 WL 11409876, at *10 (Case No. CV 07- 873 CAS (VBKX), C.D. Cal. Jan. 28, 2008). FRE 803(8)(A)(i) and (iii). Business Record. FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell | | | | | ` ' ` ' |
| character evidence; FRE 602 & 611 speculation, lacks foundation; FRE 701 & 702 improper opinion. 18 19 20 21 22 186. Media12.wmv - Training Video Response to Burglary Call - Use of Deadly Force - [AGO 1323] 24 25 26 27 28 29 20 21 29 20 20 21 20 21 20 21 21 22 23 24 25 26 27 28 29 29 20 20 20 20 20 21 20 21 20 21 21 22 23 24 25 26 27 28 29 29 20 20 20 20 20 20 21 20 21 20 21 21 22 22 23 24 25 26 27 28 29 29 20 20 20 20 20 20 21 20 21 21 22 22 23 24 25 26 27 28 29 20 20 20 20 20 21 20 21 21 22 22 23 24 25 26 27 28 29 20 20 20 20 20 20 21 21 22 21 22 23 24 25 26 27 27 28 29 20 20 20 20 20 21 20 21 21 22 22 23 24 25 26 27 28 29 20 20 20 20 20 21 20 21 21 22 22 23 24 25 26 27 28 29 20 20 20 20 21 20 21 21 22 22 23 24 25 26 27 28 29 20 20 20 21 20 21 21 21 22 21 22 22 23 24 25 26 27 28 29 20 20 20 21 20 21 21 22 21 22 22 23 24 25 26 27 28 28 29 20 20 20 20 21 20 21 21 22 21 22 21 22 23 24 25 26 27 28 28 29 20 20 20 20 21 20 21 21 22 21 22 21 22 21 22 21 22 22 23 24 25 26 27 28 28 29 20 20 20 20 21 20 21 20 21 20 21 21 22 22 | | | [1100 1322] | 1 0 | |
| FRE 602 & 611 speculation, lacks foundation; FRE 701 & 702 improper opinion. 18 19 20 21 22 186. Media12.wmv - Training Video Response to Burglary Call - Use of Deadly Force - [AGO 1323] FRE 401 irrelevant info. unknown; FRE 803(8)(A)(i) FRE 803(6)(B). FRE 803(6)(B). FRE 804 impermissible character evidence; FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell | 13 | | | _ | |
| speculation, lacks foundation; FRE 701 & 702 phillips v. Bratton, 2008 WL 11409876, at *10 (Case No. CV 07-873 CAS (VBKX), C.D. Cal. Jan. 28, 2008). 186. Media12.wmv - Training Video Response to Burglary Call - Use of Deadly Force - [AGO 1323] 24 | 14 | | | · · · · · · · · · · · · · · · · · · · | |
| 701 & 702 improper opinion. Phillips v. Bratton, 2008 WL 11409876, at *10 (Case No. CV 07- 873 CAS (VBKX), C.D. Cal. Jan. 28, 2008). 708 Prillips v. Bratton, 2008 WL 11409876, at *10 (Case No. CV 07- 873 CAS (VBKX), C.D. Cal. Jan. 28, 2008). FRE 801 hearsay. FRE 803(8)(A)(i) and (iii). Business Record. FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell | 15 | | | speculation, lacks | with CHP's |
| improper opinion. 2008 WL | 16 | | | - | |
| 18 | 17 | | | | - |
| 19 20 21 22 186. Media12.wmv - Training Video Response to Burglary Call - Use of Deadly Force - [AGO 1323] 25 26 27 28 27 29 20 20 20 20 20 20 20 20 20 20 20 20 20 | 18 | | | | · · |
| 20 21 22 186. Media12.wmv - Training Video Response to Burglary Call - Use of Deadly Force - [AGO 1323] FRE 401 irrelevant info. unknown; FRE 803(8)(A)(i) and (iii). FRE 803(6)(B). Fre 403 unduly prejudicial, cumulative; FRE 404 impermissible character evidence; C.D. Cal. Jan. 28, 2008). 22 186. Media12.wmv - Training Video Response to Burglary FRE 801 hearsay. FRE 803(8)(A)(i) and (iii). FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell | 19 | | | | ` |
| 21 186. Media12.wmv - Training Video Response to Burglary Call - Use of Deadly Force - [AGO 1323] FRE 401 irrelevant info. unknown; FRE 803(8)(A)(i) and (iii). Business Record. FRE 803(6)(B). Findings which dispute Plaintiff's expert's opinion that Officer Bell | | | | | ` ' |
| 22 186. Media12.wmv - Training Video Response to Burglary FRE 801 hearsay. FRE 803(8)(A)(i) and (iii). 24 Call - Use of Deadly Force - [AGO 1323] FRE 403 unduly prejudicial, FRE 803(6)(B). 25 26 27 Call - Use of Deadly info. unknown; FRE 803(6)(B). 26 Call - Use of Deadly info. unknown; FRE 803(6)(B). 27 FRE 403 unduly prejudicial, Findings which dispute Plaintiff's 28 Call - Use of Deadly info. unknown; FRE 803(6)(B). 29 FRE 803(6)(B). 20 FRE 803(6)(B). 21 FRE 803(6)(B). 22 FRE 803(6)(B). 23 FRE 803(6)(B). 24 Call - Use of Deadly info. unknown; FRE 803(6)(B). 25 FRE 803(6)(B). 26 FRE 803(6)(B). 27 FRE 803(6)(B). 28 FRE 803(6)(B). 29 FRE 803(6)(B). 20 FRE 803(6)(B). 20 FRE 803(6)(B). 21 FRE 803(6)(B). 22 FRE 803(6)(B). 23 FRE 803(6)(B). 24 FRE 803(6)(B). 25 FRE 803(6)(B). 26 FRE 803(6)(B). 27 FRE 803(6)(B). 28 FRE 803(6)(B). 29 FRE 803(6)(B). 30 FRE 803(6)(B). 31 FRE 803(6)(B). 32 FRE 803(6)(B). 33 FRE 803(6)(B). 34 FRE 803(6)(B). 35 FRE 803(6)(B). 36 FRE 803(6)(B). 37 FRE 803(6)(B). 38 FRE 803(6)(B). 39 FRE 803(6)(B). 30 FRE 803(6)(B). 31 FRE 803(6)(B). 31 FRE 803(6)(B). 32 FRE 803(6)(B). 33 FRE 803(6)(B). 34 FRE 803(6)(B). 35 FRE 803(6)(B). 36 FRE 803(6)(B). 37 FRE 803(6)(B). 38 FRE 803(6)(B). 39 FRE 803(6)(B). 30 FRE 803(6)(B). 30 FRE 803(6)(B). 30 FRE 803(6)(B). 30 FRE 803(6)(B). 31 FRE 803(6)(B). 31 FRE 803(6)(B). 32 FRE 803(6)(B). 33 FRE 803(6)(B). 34 FRE 803(6)(B). 35 FRE 803(6)(B). 36 FRE 803(6)(B). 37 FRE 803(6)(B). 38 FRE 803(6)(B). 39 FRE 803(B). 30 FRE 803(B). 30 | | | | | 2008). |
| Training Video Response to Burglary Call - Use of Deadly Force - [AGO 1323] FRE 801 hearsay. FRE 803(8)(A)(i) and (iii). Business Record. FRE 803(6)(B). FRE 803(6)(B). FRE 803(6)(B). FRE 803(8)(A)(i) and (iii). FRE 803(6)(B). FRE 803(8)(A)(i) and (iii). FRE 803(6)(B). FRE 803(8)(A)(i) and (iii). FRE 803(6)(B). FRE 803(B). FRE 80 | | 186. | Media12.wmv - | P MIL 1. | Official Record. |
| Call - Use of Deadly Force - [AGO 1323] FRE 401 info. unknown; FRE 803(6)(B). Findings which cumulative; FRE dispute Plaintiff's expert's opinion that Officer Bell | | | Training Video | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| Force - [AGO 1323] FRE 403 unduly prejudicial, cumulative; FRE dispute Plaintiff's expert's opinion that Officer Bell | | | | | ` ′ |
| prejudicial, Findings which dispute Plaintiff's expert's opinion that Officer Bell | | | _ | - | |
| 27 404 impermissible expert's opinion that Officer Bell | | | | prejudicial, | Findings which |
| character evidence; that Officer Bell | 26 | | | - | _ |
| 28 FRE 602 & 611 did not comply | 27 | | | _ | |
| | 28 | | | FRE 602 & 611 | did not comply |

| 1 | | | speculation, lacks | with CHP's |
|----|------|---------------------------------|---------------------------------------|---------------------------------------|
| 2 | | | foundation; FRE | Policies. |
| | | | 701 & 702 | Phillips v. Bratton, |
| 3 | | | improper opinion. | 2008 WL |
| 4 | | | | 11409876, at *10 (Case No. CV 07- |
| 5 | | | | 873 CAS (VBKX), |
| 6 | | | | C.D. Cal. Jan. 28, |
| | | | | 2008). |
| 7 | 107 | M - 1: - 12 | DMII 1 | Official Passad |
| 8 | 187. | Media13.wmv - Training Video | P MIL 1. FRE 801 hearsay. | Official Record. FRE 803(8)(A)(i) |
| 9 | | Fleeing Suspect | FRE 401 irrelevant | and (iii). |
| 10 | | Shot[AGO 1324] | info. unknown; | Business Record. |
| 11 | | | FRE 403 unduly | FRE 803(6)(B). |
| | | | prejudicial, cumulative; FRE | Findings which dispute Plaintiff's |
| 12 | | | 404 impermissible | expert's opinion |
| 13 | | | character evidence; | that Officer Bell |
| 14 | | | FRE 602 & 611 | did not comply |
| 15 | | | speculation, lacks | with CHP's |
| | | | foundation; FRE 701 & 702 | Policies. Phillips v. Bratton, |
| 16 | | | improper opinion. | 2008 WL |
| 17 | | | | 11409876, at *10 |
| 18 | | | | (Case No. CV 07- |
| 19 | | | | 873 CAS (VBKX), |
| | | | | C.D. Cal. Jan. 28, 2008). |
| 20 | | | | 2000). |
| 21 | 188. | Media15.mpeg - | P MIL 1. | Official Record. |
| 22 | | Training Video | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 23 | | Officer Discharges Weapon While | FRE 401 irrelevant info. unknown; | and (iii). Business Record. |
| 24 | | Suspect is Being | FRE 403 unduly | FRE 803(6)(B). |
| | | Handcuffed [AGO | prejudicial, | Findings which |
| 25 | | 1325] | cumulative; FRE | dispute Plaintiff's |
| 26 | | | 404 impermissible character evidence; | expert's opinion that Officer Bell |
| 27 | | | FRE 602 & 611 | did not comply |
| 28 | | | speculation, lacks | with CHP's |
| | | | | |

| 1 | | | foundation; FRE | Policies. |
|----|------|-------------------------------------|-----------------------------------|---------------------------------------|
| 2 | | | 701 & 702 improper opinion. | Phillips v. Bratton, 2008 WL |
| 3 | | | improper opinion. | 11409876, at *10 |
| 4 | | | | (Case No. CV 07- |
| | | | | 873 CAS (VBKX), |
| 5 | | | | C.D. Cal. Jan. 28, 2008). |
| 6 | | | | 2000). |
| 7 | 189. | Media16.wmv - | P MIL 1. | Official Record. |
| 8 | | Training Video | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 9 | | Police Detective Pistol Whipped Who | FRE 401 irrelevant info. unknown; | and (iii). Business Record. |
| 10 | | Choose Not to Use | FRE 403 unduly | FRE 803(6)(B). |
| | | Force [AGO 1326] | prejudicial, | Findings which |
| 11 | | | cumulative; FRE 404 impermissible | dispute Plaintiff's expert's opinion |
| 12 | | | character evidence; | that Officer Bell |
| 13 | | | FRE 602 & 611 | did not comply |
| 14 | | | speculation, lacks | with CHP's |
| 15 | | | foundation; FRE 701 & 702 | Policies. Phillips v. Bratton, |
| 16 | | | improper opinion. | 2008 WL |
| | | | | 11409876, at *10 |
| 17 | | | | (Case No. CV 07- |
| 18 | | | | 873 CAS (VBKX), C.D. Cal. Jan. 28, |
| 19 | | | | 2008). |
| 20 | 100 | 36.11.45 | D.M. 1 | 0.07 : 1.7 |
| 21 | 190. | Media17.wmv – Training Video | P MIL 1. FRE 801 hearsay. | Official Record. FRE 803(8)(A)(i) |
| 22 | | Officer Tense | FRE 401 irrelevant | and (iii). |
| 23 | | Encounter with | info. unknown; | Business Record. |
| | | Murder Suspect | FRE 403 unduly | FRE 803(6)(B). |
| 24 | | [AGO 1327] | prejudicial, cumulative; FRE | Findings which dispute Plaintiff's |
| 25 | | | 404 impermissible | expert's opinion |
| 26 | | | character evidence; | that Officer Bell |
| 27 | | | FRE 602 & 611 speculation, lacks | did not comply with CHP's |
| 28 | | | foundation; FRE | Policies. |
| 20 | | 1 | / | 1 |

| 1 2 | | | 701 & 702 improper opinion. | Phillips v. Bratton, 2008 WL |
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| | | | | 11409876, at *10 |
| 3 | | | | (Case No. CV 07- 873 CAS (VBKX), |
| 4 | | | | C.D. Cal. Jan. 28, |
| 5 | | | | 2008). |
| 6 | 191. | Media18.wmv – | P MIL 1. | Official Record. |
| 7 | | Training Video | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 8 | | Suspect Fleeing Beaten with Baton | FRE 401 irrelevant info. unknown; | and (iii). Business Record. |
| 9 | | [AGO 1328] | FRE 403 unduly | FRE 803(6)(B). |
| 10 | | | prejudicial, cumulative; FRE | Findings which dispute Plaintiff's |
| 11 | | | 404 impermissible | expert's opinion |
| 12 | | | character evidence; FRE 602 & 611 | that Officer Bell |
| 13 | | | speculation, lacks | did not comply with CHP's |
| 14 | | | foundation; FRE | Policies. |
| 15 | | | 701 & 702 improper opinion. | Phillips v. Bratton, 2008 WL |
| 16 | | | | 11409876, at *10 |
| 17 | | | | (Case No. CV 07- 873 CAS (VBKX), |
| 18 | | | | C.D. Cal. Jan. 28, |
| 19 | | | | 2008). |
| 20 | 192. | Media19.wmv - | P MIL 1. | Official Record. |
| 21 | | Training Video Long | FRE 801 hearsay. FRE 401 irrelevant | FRE 803(8)(A)(i) |
| 22 | | Beach Police Caught on Camera Bating | info. unknown; | and (iii). Business Record. |
| 23 | | Suspect with Baton | FRE 403 unduly | FRE 803(6)(B). |
| 24 | | [AGO 1329] | prejudicial, cumulative; FRE | Findings which dispute Plaintiff's |
| 25 | | | 404 impermissible | expert's opinion |
| | | | character evidence; FRE 602 & 611 | that Officer Bell did not comply |
| 26 | | | speculation, lacks | with CHP's |
| 27 | | | foundation; FRE | Policies. |
| 28 | | | 701 & 702 | Phillips v. Bratton, |

| 1 | | | improper opinion. | 2008 WL |
|----|------|--------------------------------------|--------------------------------------|--------------------------------------|
| 2 | | | | 11409876, at *10 (Case No. CV 07- |
| 3 | | | | 873 CAS (VBKX), |
| 4 | | | | C.D. Cal. Jan. 28, |
| 5 | | | | 2008). |
| 6 | 193. | Media22.wmv – | P MIL 1. | Official Record. |
| 7 | | Training Video | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| | | Traffic Stop Brake Light Broken [AGO | FRE 401 irrelevant info. unknown; | and (iii). Business Record. |
| 8 | | 1331] | FRE 403 unduly | FRE 803(6)(B). |
| 9 | | | prejudicial, | Findings which |
| 10 | | | cumulative; FRE 404 impermissible | dispute Plaintiff's expert's opinion |
| 11 | | | character evidence; | that Officer Bell |
| 12 | | | FRE 602 & 611 | did not comply with CHP's |
| 13 | | | speculation, lacks foundation; FRE | Policies. |
| 14 | | | 701 & 702 | Phillips v. Bratton, |
| 15 | | | improper opinion. | 2008 WL 11409876, at *10 |
| 16 | | | | (Case No. CV 07- |
| 17 | | | | 873 CAS (VBKX), |
| 18 | | | | C.D. Cal. Jan. 28, 2008). |
| | | | | , |
| | 194. | Media23.wmv – Training Video | P MIL 1. FRE 801 hearsay. | Official Record. FRE 803(8)(A)(i) |
| 20 | | Marijuana on Suspect | FRE 401 irrelevant | and (iii). |
| 21 | | [AGO 1332] | info. unknown; | Business Record. |
| 22 | | | FRE 403 unduly prejudicial, | FRE 803(6)(B). Findings which |
| 23 | | | cumulative; FRE | dispute Plaintiff's |
| 24 | | | 404 impermissible | expert's opinion |
| 25 | | | character evidence; FRE 602 & 611 | that Officer Bell did not comply |
| 26 | | | speculation, lacks | with CHP's |
| 27 | | | foundation; FRE 701 & 702 | Policies. |
| 28 | | | improper opinion. | Phillips v. Bratton, 2008 WL |
| _ | | | | |

| 1 | | | | 11409876, at *10 |
|----|------|---|------------------------------------|--------------------------------------|
| 2 | | | | (Case No. CV 07- 873 CAS (VBKX), |
| 3 | | | | C.D. Cal. Jan. 28, |
| 4 | | | | 2008). |
| | 10.7 | | | |
| 5 | 195. | Media24.wmv – Training Video Has a | P MIL 1. FRE 801 hearsay. | Official Record. FRE 803(8)(A)(i) |
| 6 | | Gun[AGO 1333] | FRE 401 irrelevant | and (iii). |
| 7 | | | info. unknown; | Business Record. |
| 8 | | | FRE 403 unduly | FRE 803(6)(B). |
| 9 | | | prejudicial, cumulative; FRE | Findings which dispute Plaintiff's |
| 10 | | | 404 impermissible | expert's opinion |
| 11 | | | character evidence; | that Officer Bell |
| | | | FRE 602 & 611 speculation, lacks | did not comply with CHP's |
| 12 | | | foundation; FRE | Policies. |
| 13 | | | 701 & 702 | Phillips v. Bratton, |
| 14 | | | improper opinion. | 2008 WL 11409876, at *10 |
| 15 | | | | (Case No. CV 07- |
| 16 | | | | 873 CAS (VBKX), |
| 17 | | | | C.D. Cal. Jan. 28, |
| 18 | | | | 2008). |
| | 196. | Media25.wmv – | P MIL 1. | Official Record. |
| 19 | | Training Video | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 20 | | Billings PD Officer Emotional Response | FRE 401 irrelevant info. unknown; | and (iii). Business Record. |
| 21 | | to Shooting [AGO | FRE 403 unduly | FRE 803(6)(B). |
| 22 | | 1334] | prejudicial, | Findings which |
| 23 | | | cumulative; FRE 404 impermissible | dispute Plaintiff's expert's opinion |
| 24 | | | character evidence; | that Officer Bell |
| 25 | | | FRE 602 & 611 | did not comply |
| 26 | | | speculation, lacks foundation; FRE | with CHP's Policies. |
| | | | 701 & 702 | Phillips v. Bratton, |
| 27 | | | improper opinion. | 2008 WL |
| 28 | | | | 11409876, at *10 |

| 1 2 | | | | (Case No. CV 07- 873 CAS (VBKX), | |
|-----|------|--------------------------------------|---------------------------------------|---------------------------------------|--|
| 3 | | | | C.D. Cal. Jan. 28, 2008). | |
| 4 | 197. | LD 20 V-5.3 [AGO | P MIL 1. | Official Record. | |
| 5 | 197. | 1335-1456] | FRE 801 hearsay. | FRE 803(8)(A)(i) | |
| 6 | | | FRE 401 irrelevant | and (iii). | |
| 7 | | | info. unknown; FRE 403 unduly | Business Record. FRE 803(6)(B). | |
| 8 | | | prejudicial, | Findings which | |
| 9 | | | cumulative; FRE 404 impermissible | dispute Plaintiff's expert's opinion | |
| 10 | | | character evidence; | that Officer Bell | |
| 11 | | | FRE 602 & 611 speculation, lacks | did not comply with CHP's | |
| 12 | | | foundation; FRE 701 & 702 | Policies. | |
| 13 | | | improper opinion. | Phillips v. Bratton, 2008 WL | |
| 14 | | | | 11409876, at *10 (Case No. CV 07- | |
| 15 | | | | 873 CAS (VBKX), | |
| 16 | | | | C.D. Cal. Jan. 28, 2008). | |
| 17 | | | | 2006). | |
| 18 | 198. | LD20 ECO - (CTC I- 20) [AGO 1457- | P MIL 1. FRE 801 hearsay. | Official Record. FRE 803(8)(A)(i) | |
| 19 | | 1467] | FRE 401 irrelevant | and (iii). | |
| 20 | | | info. unknown; FRE 403 unduly | Business Record. FRE 803(6)(B). | |
| 21 | | | prejudicial, | Findings which | |
| 22 | | | cumulative; FRE | dispute Plaintiff's | |
| 23 | | | 404 impermissible character evidence; | expert's opinion that Officer Bell | |
| 24 | | | FRE 602 & 611 | did not comply | |
| 25 | | | speculation, lacks foundation; FRE | with CHP's Policies. | |
| 26 | | | 701 & 702 | Phillips v. Bratton, | |
| 27 | | | improper opinion. | 2008 WL 11409876, at *10 | |
| 28 | | | | (Case No. CV 07- | |

| 1 | | | | 873 CAS (VBKX), |
|----|------|------------------------------------|---------------------------------------|---------------------------------------|
| 2 | | | | C.D. Cal. Jan. 28, |
| 3 | | | | 2008). |
| 4 | 199. | 2nd Qtr A&C | P MIL 1. | Official Record. |
| | | example block | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 5 | | schedule [AGO 1468] | FRE 401 irrelevant info. unknown; | and (iii). Business Record. |
| 6 | | [1400] | FRE 403 unduly | FRE 803(6)(B). |
| 7 | | | prejudicial, | Findings which |
| 8 | | | cumulative; FRE | dispute Plaintiff's |
| 9 | | | 404 impermissible character evidence; | expert's opinion that Officer Bell |
| 10 | | | FRE 602 & 611 | did not comply |
| | | | speculation, lacks | with CHP's |
| 11 | | | foundation; FRE 701 & 702 | Policies. |
| 12 | | | improper opinion. | Phillips v. Bratton, 2008 WL |
| 13 | | | | 11409876, at *10 |
| 14 | | | | (Case No. CV 07- |
| 15 | | | | 873 CAS (VBKX), C.D. Cal. Jan. 28, |
| 16 | | | | 2008). |
| | | | | |
| 17 | 200. | POST AB 392 835a Video.mp4 [AGO | P MIL 1. FRE 801 hearsay. | Official Record. FRE 803(8)(A)(i) |
| 18 | | 1469] | FRE 401 irrelevant | and (iii). |
| 19 | | _ | info. unknown; | Business Record. |
| 20 | | | FRE 403 unduly | FRE 803(6)(B). |
| 21 | | | prejudicial, cumulative; FRE | Findings which dispute Plaintiff's |
| 22 | | | 404 impermissible | expert's opinion |
| 23 | | | character evidence; | that Officer Bell |
| | | | FRE 602 & 611 speculation, lacks | did not comply with CHP's |
| 24 | | | foundation; FRE | Policies. |
| 25 | | | 701 & 702 | Phillips v. Bratton, |
| 26 | | | improper opinion. | 2008 WL |
| 27 | | | | 11409876, at *10 (Case No. CV 07- |
| 28 | | | | 873 CAS (VBKX), |
| | | | | |

| 1 | | | | C.D. Cal. Jan. 28, |
|----|------|--------------------|-----------------------------------|---------------------------------------|
| 2 | | | | 2008). |
| 3 | 201. | UOF A&C Safety | P MIL 1. | Official Record. |
| 4 | | Policy_29582 [AGO | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 5 | | 1470-1498] | FRE 401 irrelevant info. unknown; | and (iii). Business Record. |
| 6 | | | FRE 403 unduly | FRE 803(6)(B). |
| 7 | | | prejudicial, cumulative; FRE | Findings which dispute Plaintiff's |
| 8 | | | 404 impermissible | expert's opinion |
| 9 | | | character evidence; | that Officer Bell |
| | | | FRE 602 & 611 speculation, lacks | did not comply with CHP's |
| 10 | | | foundation; FRE | Policies. |
| 11 | | | 701 & 702 improper opinion. | Phillips v. Bratton, 2008 WL |
| 12 | | | improper opinion. | 11409876, at *10 |
| 13 | | | | (Case No. CV 07- |
| 14 | | | | 873 CAS (VBKX), C.D. Cal. Jan. 28, |
| 15 | | | | 2008). |
| 16 | 202. | 2022 UOF A&C | P MIL 1. | Official Record. |
| 17 | | POST Certified ECO | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 18 | | [AGO 1480-1487] | FRE 401 irrelevant info. unknown; | and (iii). Business Record. |
| 19 | | | FRE 403 unduly | FRE 803(6)(B). |
| 20 | | | prejudicial, cumulative; FRE | Findings which dispute Plaintiff's |
| 21 | | | 404 impermissible | expert's opinion |
| 22 | | | character evidence; | that Officer Bell |
| 23 | | | FRE 602 & 611 speculation, lacks | did not comply with CHP's |
| 24 | | | foundation; FRE | Policies. |
| 25 | | | 701 & 702 improper opinion. | Phillips v. Bratton, 2008 WL |
| 26 | | | 1 1 -F | 11409876, at *10 |
| 27 | | | | (Case No. CV 07- 873 CAS (VBKX), |
| 28 | | | | C.D. Cal. Jan. 28, |
| | | | | |

| 1 | | | | 2008). |
|----|------|---------------------------------|--|--|
| 2 | 203. | Use of Force (UoF | P MIL 1. | Official Record. |
| 3 | | A&C) Training | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 4 | | Day.pptx [AGO 1499] | FRE 401 irrelevant info. unknown; | and (iii). Business Record. |
| 5 | | 1100] | FRE 403 unduly | FRE 803(6)(B). |
| 6 | | | prejudicial, cumulative; FRE | Findings which dispute Plaintiff's |
| 7 | | | 404 impermissible | expert's opinion |
| 8 | | | character evidence; FRE 602 & 611 | that Officer Bell |
| 9 | | | speculation, lacks | did not comply with CHP's |
| 10 | | | foundation; FRE | Policies. |
| 11 | | | 701 & 702 improper opinion. | Phillips v. Bratton, 2008 WL |
| 12 | | | | 11409876, at *10 |
| 13 | | | | (Case No. CV 07- 873 CAS (VBKX), |
| 14 | | | | C.D. Cal. Jan. 28, |
| 15 | | | | 2008). |
| 16 | 204. | RCSD Report by Inv. | P MIL 1-2. | Official Record. |
| 17 | | Manjarrez re Packing Controlled | FRE 801 hearsay. FRE 401 irrelevant | FRE 803(8)(A)(i) and (iii). |
| 18 | | Substance; 03/07/22 | info. unknown; | Business Record. |
| 19 | | [COR 000746-COR 000748] | FRE 403 unduly prejudicial, | FRE 803(6)(B). Corroborates |
| 20 | | | cumulative; FRE | defendant Officer |
| 21 | | | 404 impermissible character evidence; | Bell's observations that plaintiff was |
| 22 | | | FRE 602 & 611 | actively resisting |
| 23 | | | speculation, lacks foundation; FRE | and evading arrest because plaintiff |
| 24 | | | 701 & 702 | was aware that he |
| 25 | | | improper opinion. | would be sent back |
| 26 | | | | to prison due to being a felon in |
| 27 | | | | possession of a |
| 28 | | | | firearm and narcotics. |
| | | | • | ' |

| 1 | 205. | RCSD Report by Inv. | P MIL 1-2. | Official Record. |
|-----|-------|---|--|---------------------------------------|
| 2 | | Moody re Tox | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| | | Results for Edgar | FRE 401 irrelevant | and (iii). |
| 3 | | Solis; 04/12/22 [COR | info. unknown; | Business Record. |
| 4 | | 000762-COR 000766] | FRE 403 unduly prejudicial, | FRE 803(6)(B). Corroborates |
| 5 | | 000700] | cumulative; FRE | defendant Officer |
| | | | 404 impermissible | Bell's observations |
| 6 | | | character evidence; | that plaintiff was |
| 7 | | | FRE 602 & 611 | actively resisting |
| 8 | | | speculation, lacks | and evading arrest |
| 9 | | | foundation; FRE | because plaintiff |
| | | | 701 & 702 | was aware that he would be sent back |
| 10 | | | improper opinion. | to prison due to |
| 11 | | | | being a felon in |
| 12 | | | | possession of a |
| | | | | firearm and |
| 13 | • • • | | | narcotics. |
| 14 | 206. | RCSD Report by Inv. | P MIL 1. | Official Record. |
| 15 | | Moody re Ballistic Vest; 04/01/22 [COR | FRE 801 hearsay. FRE 401 irrelevant | FRE 803(8)(A)(i) and (iii). |
| | | 000805-COR | info. unknown; | Business Record. |
| 16 | | 000806] | FRE 403 unduly | FRE 803(6)(B). |
| 17 | | - | prejudicial, | Corroborates |
| 18 | | | cumulative; FRE | defendant Officer |
| 19 | | | 404 impermissible | Bell's observations |
| | | | character evidence; FRE 602 & 611 | that plaintiff was |
| 20 | | | speculation, lacks | actively resisting and evading arrest |
| 21 | | | foundation; FRE | because plaintiff |
| 22 | | | 701 & 702 | was aware that he |
| 23 | | | improper opinion. | would be sent back |
| | | | | to prison due to |
| 24 | | | | being a felon in possession of a |
| 25 | | | | firearm and |
| 26 | | | | narcotics. |
| | 207. | RCSD Report by | P MIL 1. | Official Record. |
| 27 | | Dep. Ditfurth re | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 28 | | Suspect Gun to | FRE 401 irrelevant | and (iii). |
| - 1 | Ī | | | |

| 1 | | Forensics; 03/03/22 | info. unknown; | Business Record. | |
|----|------|----------------------|---------------------------------------|--|--|
| 2 | | [COR 000883-COR | FRE 403 unduly | FRE 803(6)(B). | |
| | | 000906] | prejudicial, | Corroborates | |
| 3 | | | cumulative; FRE | defendant Officer | |
| 4 | | | 404 impermissible | Bell's observations | |
| 5 | | | character evidence; FRE 602 & 611 | that plaintiff was actively resisting | |
| | | | speculation, lacks | and evading arrest | |
| 6 | | | foundation; FRE | because plaintiff | |
| 7 | | | 701 & 702 | was aware that he | |
| 8 | | | improper opinion. | would be sent back | |
| | | | | to prison due to | |
| 9 | | | | being a felon in | |
| 10 | | | | possession of a | |
| 11 | | | | firearm and narcotics. | |
| | 208. | RCSD Report by Inv. | P MIL 1. | Official Record. | |
| 12 | 200. | Moody re Summary | FRE 801 hearsay. | FRE 803(8)(A)(i) | |
| 13 | | Report for Edgar | FRE 401 irrelevant | and (iii). | |
| 14 | | Solis; 04/13/22 [COR | info. unknown; | Business Record. | |
| | | 000990-COR | FRE 403 unduly | FRE 803(6)(B). | |
| 15 | | 000992] | prejudicial, | Corroborates | |
| 16 | | | cumulative; FRE | defendant Officer | |
| 17 | | | 404 impermissible character evidence; | Bell's observations that plaintiff was | |
| | | | FRE 602 & 611 | actively resisting | |
| 18 | | | speculation, lacks | and evading arrest | |
| 19 | | | foundation; FRE | because plaintiff | |
| 20 | | | 701 & 702 | was aware that he | |
| | | | improper opinion. | would be sent back | |
| 21 | | | | to prison due to | |
| 22 | | | | being a felon in | |
| 23 | | | | possession of a firearm and | |
| | | | | narcotics. | |
| 24 | 209. | RCSD Report by Inv. | P MIL 1. | Official Record. | |
| 25 | | Moody re Evidence | FRE 801 hearsay. | FRE 803(8)(A)(i) | |
| 26 | | to Perris Forensic | FRE 401 irrelevant | and (iii). | |
| 27 | | Lab & Armory; | info. unknown; | Business Record. | |
| | | 05/19/22 [COR | FRE 403 unduly | FRE 803(6)(B). | |
| 28 | | 000993-COR | prejudicial, | Corroborates | |

| 1 | | 000994] | cumulative; FRE | defendant Officer | |
|----|------|-------------------------------------|----------------------------------|--------------------------------------|--|
| 2 | | | 404 impermissible | Bell's observations | |
| | | | character evidence; | that plaintiff was | |
| 3 | | | FRE 602 & 611 | actively resisting | |
| 4 | | | speculation, lacks | and evading arrest | |
| 5 | | | foundation; FRE 701 & 702 | because plaintiff was aware that he | |
| | | | improper opinion. | would be sent back | |
| 6 | | | improper opinion. | to prison due to | |
| 7 | | | | being a felon in | |
| 8 | | | | possession of a | |
| | | | | firearm and | |
| 9 | | | | narcotics. | |
| 10 | 210. | RCSD Report by Inv. | P MIL 1. | Official Record. | |
| 11 | | Moody re Suspect | FRE 801 hearsay. | FRE 803(8)(A)(i) | |
| | | Gun Function Test; 05/19/22 [COR | FRE 401 irrelevant | and (iii). Business Record. | |
| 12 | | 000995-COR | info. unknown; FRE 403 unduly | FRE 803(6)(B). | |
| 13 | | 001004] | prejudicial, | Corroborates | |
| 14 | | | cumulative; FRE | defendant Officer | |
| | | | 404 impermissible | Bell's observations | |
| 15 | | | character evidence; | that plaintiff was | |
| 16 | | | FRE 602 & 611 | actively resisting | |
| 17 | | | speculation, lacks | and evading arrest | |
| | | | foundation; FRE | because plaintiff | |
| 18 | | | 701 & 702 | was aware that he would be sent back | |
| 19 | | | improper opinion. | to prison due to | |
| 20 | | | | being a felon in | |
| | | | | possession of a | |
| 21 | | | | firearm and | |
| 22 | | | | narcotics. | |
| 23 | 211. | RCSD Report by | P MIL 1. | Official Record. | |
| | | Dep. Kroll re | FRE 801 hearsay. | FRE 803(8)(A)(i) | |
| 24 | | Forensic Report | FRE 401 irrelevant | and (iii). Business Record. | |
| 25 | | Processing the Suspect Mustang.; | info. unknown; FRE 403 unduly | FRE 803(6)(B). | |
| 26 | | 05/19/22 [COR | prejudicial, | Corroborates | |
| | | 001037-COR | cumulative; FRE | defendant Officer | |
| 27 | | 001040] | 602 & 611 | Bell's observations | |
| 28 | | | speculation, lacks | that plaintiff was | |
| | | | | | |

| 1 | | | foundation; FRE | actively resisting | |
|----|-------|--|--|--------------------------------------|--|
| 2 | | | 701 & 702 | and evading arrest | |
| | | | improper opinion. | because plaintiff | |
| 3 | | | | was aware that he | |
| 4 | | | | would be sent back | |
| _ | | | | to prison due to | |
| 5 | | | | being a felon in | |
| 6 | | | | possession of a firearm and | |
| 7 | | | | narcotics. | |
| | 212. | RCSD Report by | P MIL 1. | Official Record. | |
| 8 | 212. | Dep. Torres re Latent | FRE 801 hearsay. | FRE 803(8)(A)(i) | |
| 9 | | Print Search & DNA | FRE 401 irrelevant | and (iii). | |
| 10 | | Swab.; 05/19/22 | info. unknown; | Business Record. | |
| | | [COR 001041-COR | FRE 403 unduly | FRE 803(6)(B). | |
| 11 | | 001042] | prejudicial, | Corroborates | |
| 12 | | | cumulative; FRE | defendant Officer | |
| 13 | | | 602 & 611 | Bell's observations | |
| | | | speculation, lacks | that plaintiff was | |
| 14 | | | foundation; FRE 701 & 702 | actively resisting | |
| 15 | | | improper opinion. | and evading arrest because plaintiff | |
| | | | improper opinion. | was aware that he | |
| 16 | | | | would be sent back | |
| 17 | | | | to prison due to | |
| 18 | | | | being a felon in | |
| | | | | possession of a | |
| 19 | | | | firearm and | |
| 20 | 2.1.2 | D C C D D | D. M. A | narcotics. | |
| 21 | 213. | RCSD Report by | P MIL 1. | Official Record. | |
| | | Dep. Torres re DNA Collection; 06/21/22 | FRE 801 hearsay. FRE 401 irrelevant | FRE 803(8)(A)(i) and (iii). | |
| 22 | | [COR 001048-COR | info. unknown; | Business Record. | |
| 23 | | 001049] | FRE 403 unduly | FRE 803(6)(B). | |
| 24 | | | prejudicial, | Corroborates | |
| | | | cumulative; FRE | defendant Officer | |
| 25 | | | 602 & 611 | Bell's observations | |
| 26 | | | speculation, lacks | that plaintiff was | |
| 27 | | | foundation; FRE | actively resisting | |
| | | | 701 & 702 | and evading arrest | |
| 28 | | | improper opinion. | because plaintiff | |

| 1 | | | | was aware that he |
|----|------|-----------------------|-----------------------------------|--------------------------------|
| 2 | | | | would be sent back |
| | | | | to prison due to |
| 3 | | | | being a felon in |
| 4 | | | | possession of a |
| | | | | firearm and |
| 5 | 21.4 | D CCD D | D MIL 1 | narcotics. |
| 6 | 214. | RCSD Report by | P MIL 1. | Official Record. |
| 7 | | Dep. Kopitzke re | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| | | Rapid DNA Testing; | FRE 401 irrelevant | and (iii). |
| 8 | | 06/21/22 [COR | info. unknown; | Business Record. |
| 9 | | 001050-COR 001051] | FRE 403 unduly prejudicial, | FRE 803(6)(B). Corroborates |
| | | 001031] | cumulative; FRE | defendant Officer |
| 10 | | | 404 FRE 602 & | Bell's observations |
| 11 | | | 611 speculation, | that plaintiff was |
| 12 | | | lacks foundation; | actively resisting |
| | | | FRE 701 & 702 | and evading arrest |
| 13 | | | improper opinion. | because plaintiff |
| 14 | | | | was aware that he |
| | | | | would be sent back |
| 15 | | | | to prison due to |
| 16 | | | | being a felon in |
| 17 | | | | possession of a |
| | | | | firearm and narcotics. |
| 18 | 215. | RCSD Report by | P MIL 1. | Official Record. |
| 19 | 213. | Dep. Anderson re | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| | | Canvass Interviews; | FRE 401 irrelevant | and (iii). |
| 20 | | 11/02/22 [COR | info. unknown; | Business Record. |
| 21 | | 001055-COR | FRE 403 unduly | FRE 803(6)(B). |
| 22 | | 001070] | prejudicial, | |
| 23 | | | cumulative; FRE 404 impermissible | |
| | | | character evidence; | |
| 24 | | | FRE 602 & 611 | |
| 25 | | | speculation, lacks | |
| 26 | | | foundation; FRE | |
| | | | 701 & 702 | |
| 27 | | | improper opinion. | |
| 28 | 216. | Certificate of | P MIL 1. | Official Record. |

| 1 | | Detention Form | FRE 801 hearsay. | FRE 803(8)(A)(i) |
|----|------|-----------------------|---------------------------------------|---------------------------------------|
| 2 | | [COR 001071] | FRE 401 irrelevant | and (iii). |
| | | | info. unknown; | Business Record. |
| 3 | | | FRE 403 unduly | FRE 803(6)(B). |
| 4 | | | prejudicial, | Corroborates |
| 5 | | | cumulative; FRE | defendant Officer Bell's observations |
| 3 | | | 404 impermissible character evidence; | that plaintiff was |
| 6 | | | FRE 602 & 611 | actively resisting |
| 7 | | | speculation, lacks | and evading arrest |
| 8 | | | foundation; FRE | because plaintiff |
| | | | 701 & 702 | was aware that he |
| 9 | | | improper opinion. | would be sent back |
| 10 | | | | to prison due to |
| | | | | being a felon in |
| 11 | | | | possession of a |
| 12 | | | | firearm and narcotics. |
| 13 | 217. | Jail Booking Info for | P MIL 1. | Official Record. |
| | 217. | Edgar Solis[COR | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 14 | | 001072-COR | FRE 401 irrelevant | and (iii). |
| 15 | | 001073] | info. unknown; | Business Record. |
| 16 | | _ | FRE 403 unduly | FRE 803(6)(B). |
| | | | prejudicial, | |
| 17 | | | cumulative; FRE | |
| 18 | | | 404 impermissible | |
| 19 | | | character evidence; FRE 602 & 611 | |
| | | | speculation, lacks | |
| 20 | | | foundation; FRE | |
| 21 | | | 701 & 702 | |
| 22 | | | improper opinion. | |
| | 218. | Screenshot of Jail | P MIL 1. | Official Record. |
| 23 | | Booking Info for | FRE 801 hearsay. | FRE 803(8)(A)(i) |
| 24 | | Edgar Solis [COR | FRE 401 irrelevant | and (iii). |
| 25 | | 001074] | info. unknown; | Business Record. |
| | | | FRE 403 unduly | FRE 803(6)(B). |
| 26 | | | prejudicial, cumulative; FRE | |
| 27 | | | 404 impermissible | |
| 28 | | | character evidence; | |
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| 1 | | | FRE 602 & 611 | |
|----|------|------------------------------------|-----------------------------------|-----------------------------|
| 2 | | | speculation, lacks | |
| | | | foundation; FRE | |
| 3 | | | 701 & 702 | |
| 4 | 210 | | improper opinion. | |
| 5 | 219. | Adult Disposition of | P MIL 1. | Official Record. |
| 3 | | Arrest & Court | FRE 801 hearsay. | FRE |
| 6 | | Action for E. Solis; 03/03/22 [COR | FRE 401 irrelevant info. unknown; | 803(8)(A)(i) and (iii). |
| 7 | | 001075] | FRE 403 unduly | Business |
| 8 | | , | prejudicial, | Record. |
| | | | cumulative; FRE | FRE 803(6)(B). |
| 9 | | | 404 impermissible | Corroborates |
| 10 | | | character evidence; | defendant |
| 11 | | | FRE 602 & 611 speculation, lacks | Officer Bell's observations |
| | | | foundation; FRE | that plaintiff |
| 12 | | | 701 & 702 | was actively |
| 13 | | | improper opinion. | resisting and |
| 14 | | | | evading arrest |
| | | | | because plaintiff |
| 15 | | | | was aware that |
| 16 | | | | he would be |
| 17 | | | | sent back to prison due to |
| 18 | | | | being a felon in |
| | | | | possession of a |
| 19 | | | | firearm and |
| 20 | | | | narcotics. |
| 21 | | | | Official Record. |
| | | | | FRE |
| 22 | | | | 803(8)(A)(i) and (iii). |
| 23 | | | | Business |
| 24 | | | | Record. |
| | | | | FRE 803(6)(B). |
| 25 | | | | Corroborates |
| 26 | | | | defendant |
| 27 | | | | Officer Bell's observations |
| 28 | | | | that plaintiff |
| 40 | | | | mat plumitin |

| Case | 5:23-cv-00515-HDV-JPR D | ocument 63 F #:872 | Filed 09/10/24 | Page 60 of 60 | Page ID |
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| 1 2 3 4 5 6 7 8 | | #.072 | re ev be w he se pr be po fin | as actively sisting and vading arrest ecause plaintiff as aware that e would be ent back to rison due to eing a felon in ossession of a rearm and | |
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